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BOROUGH OF HATBORO
COUNCIL MEETING
MONDAY, JANUARY 26th, 2009

PRESENT
President Zygmont, Vice President LaSorsa, Councilpersons Guerst, Ostrander, Tompkins, Rich & Reymer, Mayor Hawkes, Borough Manager/Chief Gardner, Planner/Assistant Manager Hartey, Assistant Secretary Hegele, Superintendent Thomas, BCO/Zoning Officer Fugate, Borough Solicitor Meyer & Borough Engineer Dougherty.

ABSENT
Treasurer Lutz was absent this evening.

CALL TO ORDER
President Zygmont called the January meeting of the Council of the Borough of Hatboro to order at 7:00 P.M.

INVOCATION
Mayor Hawkes gave the invocation for the January 26th, 2009 meeting of Borough Council.

MINUTES
President Zygmont stated Council is in receipt of several months of minutes and would like to know if Council is in agreement to approve the minutes as a group or for each month. Borough Council was in agreement to approve the minutes as a whole. Vice President LaSorsa made a motion to approve the September 22nd, 2008 Zoning, Planning and Historic Development Committee Minutes, the October 27th, 2008 Council Meeting Minutes, the November 17th, 2008 Special Council Meeting Minutes, the November 24th, 2008 Council Meeting Minutes and the December 15th, 2008 Council Meeting Minutes. Councilman Tompkins stated he submitted some revisions to Assistant Secretary Hegele earlier in the day via email. Assistant Secretary Hegele stated his changes would be made. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

PRESIDENTS REPORT
President Zygmont stated he had nothing to report this evening.

BOROUGH MANAGER/CHIEF OF POLICE REPORT

Borough Manager/Chief of Police stated he had two items to report on this evening, the first was an update to the upcoming West Monument Avenue bridge project. Borough Manager/Chief Gardner stated the work should begin around February 2 or February 9, weather dependent. Borough Manager/Chief Gardner stated the work would be done in 2 phases, Phase 1 will be the underneath work and Phase 2 would be the decking. Borough Manager/Chief Gardner stated the road would be closed for approximately one week during Phase 2. Borough Manager/Chief Gardner stated all the residents in the area have been notified.

Borough Manager/Chief Gardner stated the second item is with great pleasure to announce the recent hiring of Mr. Keith Fugate as Building Code Official and Zoning Officer for the Borough. Borough Manager/Chief Gardner stated Keith comes to the Borough with a lot of experience and is a welcome addition to the Borough Staff.

TREASURERS REPORT

1. **CASH BALANCES & INVESTMENT INCOME REPORT**
   President Zygmont reported Treasurer Lutz was absent this evening. Vice President LaSorsa reported the interest earned in December 2008 was $1,626.95. This was for all 14 accounts at TD Banknorth at a rate of 0.55%. Total account balance is $3,789,259.35. Vice President LaSorsa also reported that the total interest earned for 2008 was $123,891.82. Councilman Tompkins asked why there was a different budgeted amount. Vice President LaSorsa stated is were due to interest rates being down. Councilperson Guenst made a motion to approve the Treasurer's report for the month of December 2008. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

2. **APPROVAL OF WARRANTS LIST**
   President Zygmont stated Council is in receipt of the warrant list. President Zygmont stated Council is not in receipt of the manual checklist, he stated he is aware that the Delaware Valley Insurance Trust Invoices for General Liability and Workers Compensation Trust are on this list. President Zygmont asked for a copy of the manual checklist to be provided in Council's packet this coming Wednesday for review. President Zygmont stated Council has had the opportunity in advance to review the warrant list and direct any questions to the Chief or Department Head. Vice President LaSorsa made a motion to approve the warrant list for the month of January 2009. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

3. **PAYMENT OF BILLS**
   Vice President LaSorsa made a motion to authorize the payment of bills and ratification of transfers for the month of January 2009. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

4. **PAYMENT OF BILLS - MANUAL LIST**
   Vice President LaSorsa made a motion to authorize the payment of invoices to DVIT, Delaware Valley Insurance Trust for Borough General Liability Insurance and Workers Compensation Insurance. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

MAYORS REPORT
Mayor Hawkes stated he made the trip to Washington D.C. to witness the Inauguration of President Barack Obama. Mayor Hawkes stated if anyone wanted to see the tickets or some of the souvenirs he brought back to please let him know. Mayor Hawkes stated it was quite an experience and never has he seen that many people in one place.

SOLICTTORS REPORT
Solicitor Meyer reported he drafted a Tax Collector Remuneration Resolution.

Solicitor Meyer reported he drafted ordinances for the Uniformed and Non-uniformed Pension Plans.

Solicitor Meyer reported he reviewed the TD Equipment Finance Lease and drafted a "Opinion of Counsel" letter for lessor.

SUPERINTENDENTS REPORT
President Zygmont stated the Public Works report was submitted in advance and copies of the report were available on the table in the front of the meeting report.
Superintendent Thomas stated he had nothing additional to report.

FIRE MARSHALS REPORT
President Zygmont stated the Fire Marshals report was submitted in advance and copies of the report were available on the table in the front of the meeting room.

PRIVILEGE OF THE FLOOR
President Zygmont stated this privilege of the floor is for residents to address Council to discuss voting items on tonight's agenda. Mrs. Harriet Ehrsam, Librarian, Union Library of Hatborough stated she was in attendance this evening to answer any questions regarding the submission of the Keystone Grant for the Library. Mrs. Ehrsam stated the Library ceiling and masonry were in need of replacement and she has obtained quotes and for the Borough to submit a letter of intent for the Keystone Grant.

PRESENTATION TO MR. & MRS. JOHN FARNEN – OLD MILL PICTURE
Councilperson Reymer asked Mr. & Mrs. Farnen to come forward. Councilperson Reymer stated that the Farnen's recently presented the Borough with a picture of the Old Mill Tea House from 1935. Councilperson Reymer stated the photo has been mounted and will be hung in the hallway of Borough Hall with all the other photos from years past. Borough Council thanked Mr. & Mrs. Farnen for their donation to the Borough.

COUNCIL/COMMITTEE REPORTS

A. **PUBLIC SAFETY COMMITTEE**- Mayor Hawkes

Mayor Hawkes stated he had one item on his agenda for this evening to consider the 2009 Police Civil Service Entrance Exam. Borough Manager/Chief Gardner stated he recently attended a meeting concerning the cooperative 2009 Police Exam scheduled tentatively for June 20th, 2009. Borough Manager/Chief Gardner reported the Borough should take part in this test to establish an eligibility list. Councilperson Ostrander made a motion that Council directs the Civil Service Commission to meet to establish an eligible list for the position of police officer with the Hatboro Police Department. This motion was seconded by Vice President LaSorsa and approved by Council unanimously. Borough Manager/Chief Gardner stated he would contact the Civil Service Commission to begin this process.

B. **FIRE BOARD** – Vice President LaSorsa

Vice President LaSorsa stated he did not have anything for his agenda this evening.

C. **PUBLIC WORKS** – Councilman Rich

Councilman Rich stated he did not have anything for his agenda this evening.

D. **ZONING, PLANNING & HISTORIC PRESERVATION COMMITTEE** – Councilman Tompkins

Councilman Tompkins stated he had several items on his agenda for this evening; the first was to consider escrow release for 399 Springdale Avenue. Councilman Tompkins made a motion to approve the escrow release for 399 Springdale Avenue in the amount of $9,331.20. This motion was seconded by Vice President LaSorsa and approved by Council unanimously.

Councilman Tompkins stated the second item on his agenda was to consider the Land Development Application for 69 Byberry Avenue. Councilman Tompkins stated this matter was discussed in length at the Committee meeting and prior meetings. Councilman Tompkins asked Borough Engineer Dougherty is he was comfortable with the changes that have since been made by the applicant's engineer. Councilperson Guenst made a motion to approve the Land Development application for 69 Byberry Avenue subject to the January 20, 2009 Gilmore & Associates Review letter with the exception of the County Conservation District comment being removed from this letter. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

Councilman Tompkins stated the third item on his agenda was to consider the Land Development application for 400 North York Road. Councilman Tompkins stated there is a January 16th, 2009 review letter from Gilmore & Associates. Borough Engineer Dougherty stated there still needs to be a review of stormwater changes. Borough Engineer Dougherty stated the applicants engineer called his office today but he has not had the opportunity to contact him back. Councilman Tompkins made a motion to approve continuance of this matter for further discussion at the February 9th, 2009 Committee meeting of Borough Council. This motion was seconded by Vice President LaSorsa and approved by Council unanimously.

Councilman Tompkins stated the last item on his agenda is to consider the Wireless Facilities Telecommunications Siting Ordinance #985 which is an agenda item at the end of this agenda and will be voted on at that time.

E. PARKS & RECREATION COMMITTEE – Councilperson Guenst
Councilperson Guenst stated she had one item to report on; the Open Space Grant Application and Acquisition of Open Space. Councilperson Guenst stated the Borough has entered into an agreement to purchase 445 South York Road, the remainder of the Miller Property. Councilperson Guenst stated there would be a public hearing on February 9th, 2009 where the public can hear details of the purchase and have the opportunity to make comment. Vice President LaSorsa made a motion to approve the Open Space Grant Application/Acquisition and also to approve Borough Manager/Chief Gardner and President Zygmont to sign documents relating to this matter and approve the actions of both Borough Manager/Chief Gardner and President Zygmont with regards to this purchase. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

F. FINANCE, PARKS & RECREATION COMMITTEE BUDGET & INSURANCE COMMITTEE – Vice President LaSorsa
Vice President LaSorsa stated he had one item on his agenda this evening; consideration of Resolution #2009-02, Tax Collector Compensation. Vice President LaSorsa made a motion to approve Resolution #2009-02, Tax Collector Compensation. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

G. PUBLIC AND COMMUNITY RELATIONS COMMITTEE – Councilperson Reymer
Councilperson Reymer stated she had one item on her agenda this evening; consideration of Resolution #2009-01, Pennypack School. President Zygmont asked if Councilpersons Reymer and Guenst could please present this resolution to the School Board. Councilperson Reymer stated she would set something up. Assistant Secretary Hegele stated she would put something together for the formal presentation. Mrs. Ersham, School Board member thanked Council for the resolution and stated that recently Pennypack School, Crooked Billet School and Blair Mill Elementary School were

designated Title 1 Schools, which is a great accomplishment. President Zygmont asked if the Press in attendance could place something in the upcoming edition about this Resolution. Councilman Tompkins made a motion to approve Resolution #2009-01, Pennypack School Resolution. This motion was seconded by Councilperson Reymer and approved by Council unanimously.

H. **ADMINISTRATION & CONTRACTS COMMITTEE** – President Zygmont
President Zygmont stated he had several items for his agenda this evening; the first item is to consider the 2009 Board appointments. President Zygmont stated Council would approve as a group the following appointments: Rich Seeds, Borough Authority, Robert Ehrsam, Borough Authority, Doug Mauer, Borough Authority, Ron Battis, Planning Commission, George Lewis, Upper Moreland-Hatboro Joint Sewer Authority, Michael Ostrander, Vacancy Board, John Demcisak, Zoning Hearing Board, Rich Seeds, Fire Board, Dave Shannon, Borough Historian and Lou Russo, Library Board. President Zygmont stated the Fire Board would need to interview Mr. James Giammarruti, once the Fire Board interviews him then he will be appointed to serve on the Fire Board. President Zygmont stated Council is still actively seeking interested applicants to serve as the Borough Health Officer. Vice President LaSorsa made a motion to approve the appointments listed above. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

President Zygmont stated the balances of appointments are staff appointments that will be done at the February 28th, 2009 meeting. Vice President LaSorsa made a motion to approve appointments to Borough Staff on the February 28th, 2009 meeting. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

Assistant Secretary Hegele will send letters to all the appointees confirming dates of appointment and term expiration.

President Zygmont stated the next two items on his agenda, Uniformed Pension Plan Ordinance No. 989 and Non-uniformed Pension Plan Ordinance No. 990 are agenda items at the end of the agenda and will be discussed and voted on at that time.

President Zymont stated the next item on his agenda is the consideration letter of intent Library Keystone Grant. Librarian Harriet Ehrsam stated the Library would be writing the grant; they need this letter from the Borough sponsoring the Library for this program. The Grant is going to be for ceiling repairs and masonry work, the approximate cost is around $58,790 per estimates received. Borough Manager/Chief Gardner stated there is no money needed from the Borough, the Borough needs to appoint a municipal contact for the Grant Application. Vice President LaSorsa made a motion to appoint Assistant Manager/Planner Hartey as the municipal contact. This

motion was seconded by Councilperson Ostrander and approved by Council unanimously.

Councilperson Ostrander thanked Librarian Ehrsam for everything she does for the Library.

President Zygmont stated the next item on his agenda was to consider the purchase of a Street Sweeper and Vacuum for the Public Works Department. Borough Manager/Chief Gardner stated he and Superintendent Thomas would be meeting with the vendor. Borough Manager/Chief Gardner stated it would take about 6 to 12 weeks for the equipment to arrive. President Zygmont stated this transaction would require three separate motions for approval. Vice President LaSorsa made a motion to participate in the PACC Program, Resolution #2009-03. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

Vice President LaSorsa made a motion to approve Resolution #2009-04, authorizing the financing through TD Equipment Finance for a street sweeper and vacuum in the amount of $179,761.14 and authorization of President Zygmont and Borough Manager/Chief Gardner as authorized signers for this transaction. This motion was seconded by Councilperson Reymer and approved by Council unanimously.

Vice President LaSorsa made a motion to approve Borough Manager/Chief Gardner to meet with the vendor on 1-27-09 and to make the purchase. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

President Zygmont stated the next item on his agenda was discussion of stormwater grant application. Assistant Manager/Planner Hartey updated Council on this application. Assistant Manager/Planner Hartey stated there is $8 million dollars in funding available; project to be submitted would need to be a certain amount. Assistant Manager/Planner Hartey stated the next meeting of the review board is not until May 13th, 2009.

President Zygmont stated Council was in receipt of the Employee Ratification List for the month of January 2009. Councilperson Guenst made a motion to approve the January 2009 employee ratification list. This motion was seconded by Vice President LaSorsa and approved by Council unanimously.

President Zygmont stated the last item on his agenda was the appointment of Mr. Keith Fugate as Building Code Official (BCO) and Zoning Officer. Councilperson Guenst made a motion to appoint Mr. Keith Fugate as BCO/Zoning Officer for the Borough of Hatboro. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

I. EMERGENCY SERVICES AND PEDESTRIAN SAFETY COMMITTEE – Councilperson Ostrander
Councilperson Ostrander stated she did not have anything for her agenda this evening.

J. OPEN PUBLIC HEARING – Ordinance #985, Wireless Telecommunications Facilities Ordinance

1. **Privilege of the Floor for the purpose of hearing public comment regarding the Wireless Telecommunication Facilities Ordinance No. 985.**

Councilman Tompkins opened the hearing and asked for public comment regarding this Ordinance. Mr. John Demcisak urged adoption of this most complex ordinance. Mr. Demcisak stated it is necessary for the health and safety of all Borough residents. Mr. Demcisak thanked Councilman Tompkins and Solicitor Meyer for getting this done. Councilperson Guenst stated if she was a cell tower she wouldn't go near Hatboro. Councilman Tompkins thanked everyone in the Zoning Group along with Mr. Demcisak and Solicitor Meyer for their hard work on this ordinance.

2. **Consideration of Wireless Telecommunication Facilities Ordinance No. 985.**

Vice President LaSorsa made a motion to approve Ordinance No. 985, the Wireless Telecommunication Facilities Ordinance. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

3. **Privilege of the Floor –** There was no other comment from the Public on this ordinance.

K. OPEN PUBLIC HEARING – Ordinance #989, Uniformed Pension Plan Ordinance

1. **Privilege of the Floor for the purpose of hearing public comment regarding this Ordinance No. 989.**

President Zygmont opened the hearing and asked for Borough Manager/Chief Gardner to summarize this ordinance. Borough Manager/Chief Gardner stated this new ordinance incorporates recent changes, recommendations from the Pension actuary and recent IRS updates. Borough Manager/Chief Gardner stated that the ordinance does not effect labor agreements. President Zygmont asked if there was

any comment from the public. There was no comment from the public on this Ordinance.

2. **Consideration of Uniformed Pension Ordinance No. 989.**

Councilperson Ostrander made a motion to approve Ordinance No. 989, Uniformed Pension Plan Ordinance. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

Vice President LaSorsa made a motion to appoint Borough Manager/Chief Gardner to execute plan and trust documents and President Zygmont from Borough Council as trustee for the Uniformed Pension Plan. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

3. **Privilege of the Floor** – There was no comment from the public on this ordinance.

L. <u>OPEN PUBLIC HEARING</u> – Ordinance No. 990, Non-Uniformed Pension Plan Ordinance.

1. **Privilege of the Floor for the purpose of hearing public comment regarding the Non-uniformed Pension Plan Ordinance No. 990.**

   President Zygmont opened the hearing for Ordinance No. 990, Non-uniformed Pension Plan Ordinance No. 990. President Zygmont stated this is the same as the Uniformed Pension Ordinance. There was no comment from the public on this Ordinance.

2. **Consideration of Non-uniformed Pension Ordinance No. 990.**

Councilperson Reymer made a motion to approve Ordinance No. 990, Non-uniformed Pension Plan Ordinance. This motion was seconded by Vice President LaSorsa and approved by Council unanimously.

Councilperson Guenst made a motion to appoint Borough Manager/Chief Gardner to execute plan and trust documents and President Zygmont from Borough Councoil as trustee for the Non-uniformed Pension Plan. This motion was seconded by Councilperson Reymer and approved by Council unanimously.

3. **Privilege of the Floor** – There was no comment from the public on this ordinance.

OLD BUSINESS
There was no Old Business to come before Borough Council.

NEW BUSINESS

Councilman Tompkins stated that he attended a multi municipal meeting last Thursday evening, Assistant Manager/Planner Hartey has copies that will be distributed to Borough Council.

Councilman Tompkins stated that he along with Assistant Manager/Hartey recently attended a meeting at Temple Ambler where Dr. Featherstone updated everyone in attendance on stormwater. Councilman Tompkins stated that they're maybe some Pennvest funding and the Army Corp maybe adopting the FEMA study in March.

President Zygmont announced that Council is seeking input on how to use the already acquired Wachovia Property and soon to be acquired Miller Property. President Zygmont stated anyone interested in serving on these committees should submit their letter of interest to Diane Hegele, Assistant Borough Secretary.

PRIVILEGE OF THE FLOOR
There was no comment from the Public.

ADJOURNMENT
President Zygmont adjourned the January 26th, 2009 Council meeting at 8:11 P.M.

EXECUTIVE SESSION
President Zygmont stated there would be an executive session this evening to discuss a Personnel Matter.

Respectfully submitted,

Diane C. Hegele
Assistant Borough Secretary

BOROUGH OF HATORO
SPECIAL COUNCIL MEETING
PUBLIC HEARING
MONDAY, FEBRUARY 12th, 2009

PRESENT
President Zygmont, Vice President LaSorsa, Councilpersons Guenst, Ostrander, Tompkins, Rich & Reymer, Mayor Hawkes, Borough Manager/Chief Gardner, Assistant Secretary Hegele, Superintendent Thomas, BCO/Zoning Officer Fugate, Borough Solicitor Meyer & Borough Engineer Dougherty.

ABSENT
Assistant Manager/Planner Hartey and Treasurer Lutz were absent this evening.

CALL TO ORDER
President Zygmont called the Special Council Meeting/Public Hearing of the Council of the Borough of Hatboro to order at 8:00 P.M.

President Zygmont announced the purpose of the special meeting/public hearing was to hear public comment on the acquisition of the Miller property that includes land, house and a cottage to be used for the preservation of open space in the Borough. President Zygmont stated the acquisition of open space is through the Growing Greener Program. President Zygmont stated the Borough met with the County to begin preliminary discussion in February of last year, it took well over a year to get everything together. President Zygmont stated tonight's Public Hearing is not to decide the ultimate use, but to hear comment about the acquisition.

PRIVILEGE OF THE FLOOR- Public Comment regarding Open Space Acquisition
President Zygmont opened the floor of the meeting for public comment regarding the open space acquisition.

Mr. Dave Shannon, Borough Historian distributed a handout on the history of the Miller Property and information on the Wachovia Property. Borough Historian Shannon reviewed with Council the historic information on the Miller Property. Borough Engineer Dougherty met with Borough Historian Shannon to review the history for the grant application that will be submitted to the County for the acquisition.

Mr. Alan Tracy, 12 S. Linden Avenue asked if the history of the property would be posted on the Borough website. President Zygmont stated yes, some of the information could be posted on the website. President Zygmont asked Assistant Secretary Hegele to get the information on the website.

Mr. Frank Suntheimer, 203 Mill Road asked about this property and the Wachovia property being taken off the tax rolls. President Zygmont stated that the Miller Property represented $2,478.00 off the tax rolls and for the Wachovia Property, $5,642.00 for a total of $8,121.00 total off tax rolls. President Zygmont stated that the Borough tax rolls are more due to the Victorian Village complex of approximately $_____. Vice President LaSorsa stated this has been removed from the 2009 budget. President Zygmont stated the impact is greater at the School District level. President Zygmont stated two years ago Council was sitting listening to and discussing open space where the Victorian Village project now sits, the Miller property is a much better acquisition for the Borough. President Zygmont stated the purchase of Wachovia to assist in parking needs. President Zygmont stated Council is asking for residents who maybe interested in volunteering their time on the Miller Committee or the Wachovia Committee, these committees will help to decide the best use for both properties.

Councilman Tompkins stated the zoning depends on the use of the properties. Councilman Tompkins also stated currently there is no Historic Preservation Ordinance; the Zoning Group is working on one.

CONSIDERATION OF OPEN SPACE ACQUISITION, RESOLUTION #2009-05.
Vice President LaSorsa made a motion to approve Resolution #2009-05, acquisition of open space, the Miller Property, 445-447 South York Road. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

CLOSE SPECIAL PURPOSE COUNCIL MEETING
President Zygmont closed the special purpose Council meeting/public hearing at 8:30 PM.

Respectfully submitted,

Diane C. Hegele

Diane C. Hegele
Assistant Borough Secretary

BOROUGH OF HATBORO
COUNCIL MEETING
MONDAY, FEBRUARY 23rd, 2009

PRESENT
President Zygmont, Vice President LaSorsa, Councilpersons Guenst, Ostrander, Tompkins, Rich & Reymer, Mayor Hawkes, Borough Manager/Chief Gardner, Planner/Assistant Manager Hartey, Assistant Secretary Hegele, Superintendent Thomas, BCO/Zoning Officer Fugate, & Borough Engineer Dougherty.

ABSENT
Treasurer Lutz was absent this evening.

CALL TO ORDER
President Zygmont called the February meeting of the Council of the Borough of Hatboro to order at 7:00 P.M.

INVOCATION
Mayor Hawkes gave the invocation for the February 23rd, 2009 meeting of Borough Council.

MINUTES
President Zygmont stated Council is in receipt of the January 26th, 2009 Council Meeting Minutes. Vice President LaSorsa made a motion to approve the January 26th, 2009 Council meeting minutes. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

PRESIDENTS REPORT
President Zygmont stated he had nothing to report this evening.

BOROUGH MANAGER/CHIEF OF POLICE REPORT
Borough Manager/Chief of Police stated he had one item to report on this evening, the West Monument Avenue bridge project. Borough Manager/Chief Gardner stated the project is scheduled to start on March 2nd weather permitting and should take 4 weeks. Borough Manager/Chief Gardner stated that area residents have been notified, along with emergency services and the school district. Borough Manager/Chief Gardner stated that detours are in place.

TREASURERS REPORT

1. **CASH BALANCES & INVESTMENT INCOME REPORT**
   President Zygmont reported Treasurer Lutz was absent this evening. Vice President LaSorsa reported the interest earned in January 2009 was $1,387.00. This was for all 14 accounts at TD Banknorth at a rate of 0.450%. Total account balance is $3,387,436.95. Councilperson Guenst made a motion to approve the Treasurer's report for the month of January 2009. This motion was seconded by Vice President LaSorsa and approved by Council unanimously.

2. **APPROVAL OF WARRANTS LIST**
   President Zygmont stated Council is in receipt of the warrant list. President Zygmont stated Council has had the opportunity in advance to review the warrant list and direct any questions to the Chief or Department Head. Vice President LaSorsa made a motion to approve the warrant list for the month of February 2009. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

3. **PAYMENT OF BILLS**
   Vice President LaSorsa made a motion to authorize the payment of bills and ratification of transfers for the month of February 2009. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

4. **PAYMENT OF BILLS - MANUAL LIST**
   Vice President LaSorsa made a motion to authorize the payment of bills and ratification of transfers for the month of February. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

MAYORS REPORT

Mayor Hawkes stated he had nothing to report this evening.

SOLICTTORS REPORT

President Zygmont reported there would be no Solicitors report this month.

SUPERINTENDENTS REPORT

President Zygmont stated the Public Works report was submitted in advance and copies of the report were available on the table in the front of the meeting report.
Superintendent Thomas stated he had nothing additional to report.

FIRE MARSHALS REPORT

President Zygmont stated the Fire Marshals report was submitted in advance and copies of the report were available on the table in the front of the meeting room.

PRIVILEGE OF THE FLOOR

President Zygmont stated this privilege of the floor is for residents to address Council to discuss voting items on tonight's agenda. There was no comment from the public.

COUNCIL/COMMITTEE REPORTS

President Zygmont stated there would be a change in the agenda and item number 14C, Consider 2009 Staff Appointments; this item would now be voted on at this time. President Zygmont reviewed the list of appointments, James Gardner, Borough Manager, Michael Hartey, Assistant Manager/Planner, Diane Hegele, Assistant Secretary/Open Records Officer, James Gardner, Chief of Police, Roy Thomas, Public Works Superintendent/Deputy Fire Marshal, W. Robert Stauch, Fire Marshal/Emergency Management Coordinator & Property Maintenance Inspector, Joseph Reading, Assistant Fire Marshal/Assistant Property Maintenance Inspector, Keith Fugate, Building Code Officer/Zoning Officer, Joseph Lutz, Treasurer, Berkheimer Associates, EIT Collection Agent, Lopez, Teodosio & Larkin, Auditor, Gilmore & Associates (James Dougherty), Engineer, Bruce Eckel (Dougherty & Eckel), Zoning Hearing Board Solicitor and Hamburg, Rubin, Maxwell and Lupin (Christen Pionzio), Borough Solicitor. Councilman Tompkins made a motion to approve the above appointments for one year, term expiration of December 31, 2009. This motion was seconded by Vice President LaSorsa and approved by Council unanimously.

Borough Council welcomed Ms. Christen Pionzio as Borough Solicitor. Borough Solicitor Pionzio thanked Council on behalf of her firm and stated she looked forward to working with the Borough.

A. PUBLIC SAFETY COMMITTEE- Mayor Hawkes

Mayor Hawkes stated he had one item on his agenda for this evening to approve the Fire Company Expenditure List for the month of January 2009 in the amount of $11,573.33. Vice President LaSorsa made a motion to approve the fire company expenditure list for January 2009 in the amount of $11,573.33. Councilman Tompkins asked if the Peco bill was for two months. Fire Company President Gowen stated the bills overlapped. Councilperson Reymer questioned the expenditure for security cameras. President Gowen stated there has been some vandalism to the outside of the firehouse and other incidents that warranted the cameras, which are expandable. Councilperson Ostrander asked President Gowen to make sure those cameras are off on election days. President Gowen stated the cameras would be off. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

B. FIRE BOARD – Vice President LaSorsa

Vice President LaSorsa stated he did not have anything for his agenda this evening.

C. **PUBLIC WORKS** – Councilman Rich

Councilman Rich stated he had one item on his agenda this evening, to consider a request from the Union Library of Hatborough for snow removal services. Councilman Rich stated the Borough is in receipt of a letter from the Borough insurance carrier recommended the Borough does not perform this service. Councilperson Guenst asked if any their any other organizations that can do this service. Councilperson Ostrander asked if Public Works does the Fire House. Superintendent Thomas stated the PW trucks does the apron and driveway of the firehouse. President Zygmont stated this is a public safety issue and the fire trucks need to get out for an emergency. Fire Chief Zollers stated the fire company does the sidewalks. Library President Patty Fleming stated the Library only needs the driveway not the sidewalks as requested in the letter submitted. President Zygmont asked for a motion. Councilpersons Ostrander and Guenst stated they would have to abstain from voting since they are on the Library Board. Councilperson Reymer made a motion that the Borough Public Works Department provides snow removal services to the Hatborough Union Library of Hatboro. This motion was seconded by Councilperson Reymer and a vote taken by the president as follows: Councilperson Ostrander abstained, Councilperson Guenst abstained, Vice President voted no, Councilman Tompkins voted no, Councilperson Reymer voted yes, and Councilman Rich voted no. President Zygmont stated the motion was denied.

D. **ZONING, PLANNING & HISTORIC PRESERVATION COMMITTEE** – Councilman Tompkins

Councilman Tompkins stated he had two items on his agenda this evening; the escrow release for Victorian Village in the amount of $45,790. Vice President LaSorsa made a motion to approve the Victorian Village Escrow Release in the amount of $45,790. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

Councilman Tompkins stated the second item on his agenda was the Upcoming Zoning Hearing Board meeting on February 25th. The Zoning Hearing Board has an application before them to consider zoning variances for signage at the Victorian Village complex. Councilman Tompkins stated the current zoning is 4 square feet per each retail space and the applicant is asking for 24 square feet per each retail space, a total of 5. Councilman Tompkins made a motion to recommend to the Zoning Hearing Board to consider consistency, style and color of signage. This motion was seconded by Councilperson Guenst, with Vice President LaSorsa, Councilperson Ostrander, Councilman Rich and Councilperson Reymer voting against. President Zygmont stated the motion was denied.

E. PARKS & RECREATION COMMITTEE – Councilperson Guenst

Councilperson Guenst she did not have anything for her agenda this evening.

F. FINANCE, PARKS & RECREATION COMMITTEE BUDGET & INSURANCE COMMITTEE – Vice President LaSorsa

Vice President LaSorsa stated he did not have anything for his agenda this evening.

G. PUBLIC AND COMMUNITY RELATIONS COMMITTEE – Councilperson Reymer

Councilperson Reymer stated she did not have anything for her agenda this evening.

H. ADMINISTRATION & CONTRACTS COMMITTEE – President Zygmont

President Zygmont stated he had several items for his agenda this evening; the first item on his agenda, to consider the administrative process, Life Insurance Policies Transaction. President Zygmont stated that once the sale is complete then it would be determined where the proceeds go. Vice President LaSorsa made a motion to approve the Life Insurance Policies transaction. This motion was seconded by Councilperson Reymer and approved by Council unanimously.

President Zygmont stated the second item on his agenda was to approve the appointment to the Fire Board. Vice President LaSorsa made a motion to approve the appointment of Mr. James Giamarruti to the Fire Board. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

President Zygmont stated the third item on his agenda was done at the beginning of the Committees.

President Zygmont stated the fourth item on his agenda was to consider the 2009 Snackstand Contract. Councilperson Guenst stated the 2009 Snackstand Contract would be awarded to Scoops/A Corner Kitchen this year, with the same terms as 2008 with the exception of the request for a roll down cage, this is a capital item that cannot be purchased or considered for this pool season. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

President Zygmont stated the last item on his agenda a payment to the Contractor for the West Monument Avenue Bridge Project was included in the warrant list approval earlier in the meeting.

I. **EMERGENCY SERVICES AND PEDESTRIAN SAFETY COMMITTEE** – Councilperson Ostrander

Councilperson Ostrander stated she did not have anything for her agenda this evening.

OLD BUSINESS

President Zygmont stated there were two items under Old Business.

President Zygmont is still looking for residents and business owners who are interested in serving on the Wachovia Building and Miller Property Committee. President Zygmont stated the committees are being formed to organize public comment and ideas on uses for both these properties.

Vice President LaSorsa updated Council on recent Fire Board Meetings/activity regarding the Fire House project. Vice President LaSorsa stated a meeting was held recently involving the fireboard, Pennoni and a representative from the Commonwealth met to discuss the grant and give a list of items to the Borough that needs to be done. Vice President LaSorsa stated a resolution would be forthcoming that needs to be considered for funding. Vice President LaSorsa reminded everyone that this grant is a reimbursable grant, and the grant is a contract between the Borough and the State not the Fire Company and the State and a contractual agreement would be needed between the Borough and the Fire Company. There was a discussion over the amounts and Vice President LaSorsa stated he would layout everything on the funding for Council for the March Committee meeting for review and any further discussion.

There was no other old business to come before Council.

NEW BUSINESS

President Zygmont stated there was one item under New Business, discussion on the Wachovia Property Engineering. Borough Manager/Chief Gardner stated he would like to work with Borough Engineer Dougherty to delineate which parking is for the Borough and which is for the building. Borough Manager/Chief Gardner stated working with Borough Engineer Dougherty would allow the preliminary engineering work to start, which is required for the application. Borough Manager/Chief Gardner stated the Borough needs to know how much parking can be removed from the Wachovia Building for the municipal parking needs along with Superintendent Thomas needing to know for maintenance and plowing responsibilities. Borough Manager/Chief Gardner stated this parking lot would also serve as alternative parking for commuters while the commuter lot is under renovation.

Vice President LaSorsa made a motion to approve Borough Engineer Dougherty to begin surveying the parking lot of the Wachovia Property. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

Vice President LaSorsa made a motion to have the Borough Manager contact structural engineers for quotes from structural engineers for services for the Wachovia Building. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

Councilperson Reymer made a motion to commission the Borough Treasurer or Borough Manager to look into other avenues for Borough investments. Councilperson Reymer stated the Borough is losing money and she would like information in March for discussion in April. Vice President LaSorsa stated everyone is losing money due to the economy. Councilman Tompkins would like to table this matter, as we may be rushing into this without the proper information, what cash needs does the Borough have and what cash flow does the Borough currently have. Vice President LaSorsa stated to gain higher interest rates, means long-term investments and no access to money. Vice President LaSorsa asked if the Treasurer would be paid more since he is being commissioned to do this. Councilperson Reymer stated he would not be paid more. President Zygmont stated there was a motion on the floor and a second by Councilperson Guenst, a vote was taken as follows; Councilperson Reymer voting yes, Councilman Rich voting no, Councilman Tompkins voting no, Vice President LaSorsa voting no, Councilperson Guenst voting yes, Councilperson Ostrander voting yes, and President Zygmont breaking tie by voting no, the motion dies.

Councilperson Reymer stated it is irresponsible not to investigate. Vice President LaSorsa stated the Borough is fully insured. Councilman Tompkins stated it is the market. Borough Manager/Chief Gardner stated he had met with TD Banknorth Hatboro Branch Manager Mike Brookshire on the morning of the bank robbery and they discussed how bad the market is currently. President Zygmont stated the Borough Manager could contact TD Banknorth and ask for them to put together an investment strategy for the Borough. Borough Manager/Chief Gardner stated he would ask the bank for an analysis. Vice President LaSorsa stated Council has to remember there are early withdrawal penalties to consider also.

PRIVILEGE OF THE FLOOR

Mr. Ron Battis asked why the amount for the West Monument Avenue bridge project was not discussed. President Zygmont stated the payment for this project was on the warrant list and approved at that time. Mr. Battis also stated it saddens him that Mr. Adrian Meyer is no longer with us. Mr. Meyer was a wealth of knowledge, which served the Borough well and will be sorely missed. Councilperson Guenst stated that does not mean no longer with us that he is deceased.

Mr. Hart stated it appeared on the monthly public works report that paper collection is getting thinner. Mr. Hart stated the School District is collecting papers now.

Mr. Henry asked how long the commuter lot would be closed for renovations. Borough Engineer Dougherty stated about 3 to 4 months with a expected start in 1 to 2 months after Council award bids which should be at the March meeting. Mr. Henry wanted to know if the Borough has a plan for alternative parking. Borough Manager/Chief Gardner stated the Borough is already discussing with neighboring property owners. President Zygmont stated the residents in the neighborhood are already calling about parking problems. Borough Manager/Chief Gardner stated this is a long term fix with safety and lighting enhancements

ADJOURNMENT

President Zygmont adjourned the February 23rd, 2009 Council meeting at 8:10 P.M.

EXECUTIVE SESSION

President Zygmont stated there would not be an executive session this evening.

Respectfully submitted,

Diane C. Hegele

Diane C. Hegele
Assistant Borough Secretary
Open Records Officer

BOROUGH OF HATBORO
COUNCIL MEETING
MONDAY, MARCH 23rd, 2009

PRESENT
President Zygmont, Vice President LaSorsa, Councilpersons Guenst, Ostrander, Tompkins, & Rich, Mayor Hawkes, Borough Manager/Chief Gardner, Planner/Assistant Manager Hartey, Assistant Secretary Hegele, Superintendent Thomas, BCO/Zoning Officer Fugate, Borough Engineer Dougherty & Borough Solicitor Pionzio.

ABSENT
Councilperson Reymer & Treasurer Lutz was absent this evening.

CALL TO ORDER
President Zygmont called the March meeting of the Council of the Borough of Hatboro to order at 7:00 P.M.

INVOCATION
Mayor Hawkes asked for everyone to observe a moment of silence for Philadelphia Police Officer John Pawlowski and other officers who died in the line of duty.

MINUTES
President Zygmont stated Council is in receipt of the February 12th and February 23rd, 2009 Council Meeting Minutes. Vice President LaSorsa made a motion to approve the February 12th and February 23rd, 2009 Council meeting minutes. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

PRESIDENTS REPORT
President Zygmont stated he had nothing to report this evening.

BOROUGH MANAGER/CHIEF OF POLICE REPORT
Borough Manager/Chief of Police stated he had several items to report on this evening, the first was the COPS Hiring Grant. Borough Manager/Chief Gardner stated he just found out that this Grant was just made available and the paperwork needs to be submitted by April 15th, 2009. Borough Manager/Chief Gardner stated the Borough could utilize the extra officer in many different capacities including but not limited to traffic, community service and shortages. Mayor Hawkes stated he is in favor of pursing this grant opportunity. Borough Manager/Chief Gardner stated the COPS Grant funds the hiring, salary and benefits associated the hiring of one police officer.

Borough Manager/Chief Gardner stated the second item is the Memorial Pool Fence Project. Borough Manager/Chief Gardner stated the bid documents have been prepared, the bid opening has been scheduled and open the bids are tabulated they will be presented to Council for approval at the April 13th, Committee Meeting which will have to be advertised as a voting meeting.

Borough Manager/Chief Gardner stated the third item is the Spring Avenue Pennypack Creek Spring Cleanup. Borough Manager/Chief Gardner stated this is scheduled for Sunday, April 19th, 2009, they do not need any assistance from Public Works, just pick up of the bags which will take place the following Monday. Councilman Tompkins stated last year this was a success; the group got a lot of stuff including a shopping cart from the creek and would like to see more people come out and volunteer this year.

Borough Manager/Chief Gardner stated the last item is the Wachovia Bank Structural Evaluation Report. Borough Manager/Chief Gardner stated he was in receipt of a proposal from Knudsen Engineering regarding a structural evaluation for the Wachovia Property.

TREASURERS REPORT

1. **CASH BALANCES & INVESTMENT INCOME REPORT**
   President Zygmont reported Treasurer Lutz was absent this evening. Vice President LaSorsa reported the interest earned in February 2009 was $1,514.97. This was for all 14 accounts at TD Banknorth at a rate of 0.550%. Total account balance is $3,608,858.15. Councilperson Ostrander made a motion to approve the Treasurer's report for the month of February 2009. This motion was seconded by Councilman Rich and approved by Council unanimously.

2. **APPROVAL OF WARRANTS LIST**
   President Zygmont stated Council is in receipt of the warrant list and manual checklist. President Zygmont stated Council has had the opportunity in advance to review the warrant list and direct any questions to the Chief or Department Head. Vice President LaSorsa made a motion to approve the warrant list for the month of March 2009. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

3. **PAYMENT OF BILLS**
   Vice President LaSorsa made a motion to authorize the payment of bills and ratification of transfers for the month of March 2009. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

MAYORS REPORT

Mayor Hawkes stated the Senior Games are scheduled for May 11th to May 15th for anyone over 50.

Mayor Hawkes stated there is information at Borough Hall for anyone who needs assistance with mortgage foreclosure.

Mayor Hawkes stated he recently received a request from the Gardeners Club of Hatboro who would like to do a beautification project at Borough Hall this coming spring. Mayor Hawkes stated there would be no cost to the Borough for this project and the Mayor supports this idea and feels this will help enhance Borough Hall.

SOLICITORS REPORT

Solicitor Pionzio stated she did not have anything to report this evening.

SUPERINTENDENTS REPORT

President Zygmont stated the Public Works report was submitted in advance and copies of the report were available on the table in the front of the meeting report. Superintendent Thomas stated he had nothing additional to report.

FIRE MARSHALS REPORT

President Zygmont stated the Fire Marshals report was submitted in advance and copies of the report were available on the table in the front of the meeting room.

PRIVILEGE OF THE FLOOR

President Zygmont stated this privilege of the floor is for residents to address Council to discuss voting items on tonight's agenda. Mr. Ed Henry asked if once the Borough applies for funding under the COPS Grant were they committed. Borough Manager/Chief Gardner stated yes. There was no other comment from the public.

COUNCIL/COMMITTEE REPORTS

A. PUBLIC SAFETY COMMITTEE- Mayor Hawkes

Mayor Hawkes stated he had two items on his agenda for this evening to approve the purchase and upfitting of a 2009 patrol vehicle for the police department. Councilperson Ostrander made a motion to purchase a 2009 patrol vehicle for the police department including upfitting. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

Mayor Hawkes stated the second item on his agenda was to consider Resolution #2009-09, COPS Hiring Grant, a resolution adopted by the Borough Council of the Borough of Hatboro authorizing the application for funding associated with the hiring, salary and benefits of a police officer pursuant to the United States Department of Justice, Office of Community Oriented Policing Services (COPS Office), COPS Hiring Recovery Program.

WHEREAS, On March 16, 2009 the United States Department of Justice, Office of Community Oriented Policing Services (COPS Office) has announced available funding associated with the hiring, salary and benefits of Police Officers, and;

that yes he does. Mr. Roche advised that what they propose it total restoration with a few minor modifications. He stated that the winding mechanism is the most important one. This prevents someone from having to go up and wind the clock every six days. Mr. Roche stated that his ultimate goal would be to have a television or computer screen in the foyer of Borough Hall where you could push a few buttons and see the mechanics of the clock. Councilperson Guenst then asked if Mr. Roche was aware of any Grants that may be available through someone such as timex? Mr. Roche advised not at this time but that he has been told that there are monies out there. Barbara Davis of the audience then asked if the clock made any noise such as a chime or bong? Keith Winship advised that there is a bell that strikes the hour every hour. Keith advised that that would be one of the additions that would be added to the clock to silence it whenever needed. Councilman Tompkins then asked if the bike sprocket, which was stated as a bad thing, would be removed? Keith advised that it was not stated in the article the way he stated it. He advised that the bike sprocket was not a bad thing. It functions very well and is part of the history of the clock. He does not suggest removing it. Councilperson Guenst thanked Mr. Roche and Mr. Winship for their very informative presentation.

INFORMATIONAL PRESENTATION ON PEC STORMWATER MANAGEMENT

Mindy Lemoin of the Pennsylvania Environmental Council stated that she is looking to help Hatboro file for a Federal Stimulus Grant for $75,000.00 regarding Stormwater Management. Mindy then introduced Derron LaBrake of Stantec Incorporated. Stantec Incorporated is the Engineering firm hired by the Pennsylvania Environmental Council. Derron advised that they looked at the Temple study to see what they had identified as potential projects to alleviate some of the flooding in the upper parts of the watershed. Then they came in to see what land the Borough owned because Pennvest funds require that the applicant actually owns the property. They identified three potential sites within the Borough, Hatboro Little League Field, Eaton Park and Memorial Park. The object of these projects is to create some additional flood plain storage. Derron advised what is happening since the land has been developed is that there is much more impervious surface so the water runs off faster. Also there are stronger rain events than ever before in this part of the state. Typically what happens is that you have more energy going through the channels that will down cut separating it from its natural flood plain. As it down cuts one of two things are going to stop it. Either it is coming to some sort of balance with the amount of water that is going through it or it will hit bedrock. Derron advised that near the Pennypack Elementary School that it has hit bedrock. Councilperson Guenst wanted to ask what was going to be done at the Pennypack Elemtary School soccer fields but did not see anything on the initial letter. Derron advised because that application would actually have to come from the School District. Derron advised that what he is proposing to take and lower some of the land area that used to be the flood plain so that smaller storms can access the flood plain, dissipate volume and store some of the volume and reduce the flooding. Derron advised that the plan for the Little League fields would be to take the one field that is not terribly used and to lower it down and either put it back as a practice field or convert it into a storm water retention basin. The object for both Eaton Park and Memorial Park is to lower the land surface to create flood plain storage and to maintain the existing and future use of the park. Derron advised that at Eaton Park it is currently a hiking trail or passive use. He advised that they would expand a forest and vegetated zone out from the edge of the creek, which will benefit the quality of the water. Derron then advised that at Memorial Park they would lower it and then put a ball field back, wherever it would make the most sense from a playability standpoint. Councilperson Guenst then asked how much of the walking trail would be affected at

Eaton Park. Derron advised that it would all be put back. Councilperson Guenst then asked who would put it back? Derron advised that it would be part of the Grant Application. Mindy Lemoin then stated that she would like to discuss the process of applying for Pennvest Funding. Mindy advised that Pennvest has about $220 million dollars towards water infrastructure that comes from the American Recovery and Reinvestment Act. Of the $220 million about $44 million of that is set aside for Green Project Reserves. Mindy Lemoin advised that they would like to help the Borough apply for this funding. Mindy advised that the deadline is May 18th 2009. Mindy advised that they are working with the DEP with regards to what is required for permits. Mindy advised that the Borough would need to initiate the actual application process, as the Borough will be the borrower. Mindy advised that Pennvest specifically gives low interest loans and they can range from 1% to 3%. Mindy stated that herself and a woman from the environmental finance center would be doing the primary work of putting in the application. The application is done online. Mindy advised that there would be some things that they will need from the Borough such as financial statements. Mindy advised that at least half of the stimulus money has been used. She has asked if this particular project is likely to get a grant and she has been advised that they will not know until it is time to make a decision, which would be July 20, 2009. The Borough is in no way committed to taking this money if the Borough decides that they don't want it. The projects would need to go out on contract or actually start construction by October 1st 2009. The projected total cost of the three projects is between $800,000 to $900,000 dollars. Mindy stated that what they are asking for at this time is for the Borough to agree to start the application process. President Zygmont asked what the upfront costs in applying would be to the Borough? Mindy advised just the time in supporting the application process. Councilperson Guenst asked how extensive the application process is? Mindy then handed out copies of the actual application. President Zygmont then asked if any consideration was given to Miller Meadow? Derron advised that they did look into it, however, due to Miller Meadow previously being a dump they were not sure exactly what they would be uncovering. Mindy advised that that might be feasible sometime in the future but since the application is due on May 18th 2009 they want to keep it uncomplicated. Derron advised that the other three projects are just removing soil and replacing it. The Grant may not fund removal and disposal of cars, concrete, asphalt etc, or whatever else may be uncovered in an area that was once a dump. Councilman Tompkins then stated that in the past there have been walkthroughs where the buffer along the creek is overgrown with invasive species, would part of this project be to replace the buffer with the proper species? Derron advised yes. Mindy advised that that would all be part of the Grant Application. Mindy advised that Pennvest is essentially a bank. There will be a formal closing process. Mindy advised that there is also no guarantee that the application would be approved. President Zygmont advised that both he and Councilperson Guenst are concerned that this would be getting into active use areas in a town that has limited open space availibilility. Derron advised that anything that would be disturbed would be put back just as it was. Councilperson Reymer asked if all three projects simultaneously? Mindy advised yes. Councilperson Tompkins then asked if they had been speaking to the School District regarding their sites? Mindy advised yes, they are hoping to be submitting applications by May 18th 2009 as well. Councilperson Guenst asked if they were familiar with any other Municipalities in the last round that received any of this money? Mindy advised the only other re-infrastructure project that received funding were projects for the Philadelphia Water Department and they received $30 million dollars. Which was everything they applied for. Councilperson Guenst asked if anyone else applied? Mindy and Derron stated that they did not think so. Councilperson Guenst asked if the money came through as a Grant, is there any match involved? Mindy advised no. Borough

Manager/Chief Gardner asked it there would be any engineering cost the Borough during the application process? Mindy advised no. Councilperson Guenst asked it they had been in contact with Upper Moreland Township concerning, what Councilperson Tompkins referred to as Flamingo Run, the flow through that has been an issue in the past. Councilperson Tompkins advised that there is a different storm water issue in Upper Moreland and some Warminster. Derron advised that the only way to get that water out of that area is to send it down stream or put it in pipes underground. Derron advised by doing the project at Memorial Park that it would relieve some of the flooding in that area. Councilman Tompkins advised that Upper Moreland is also trying to get the water over to the creek by the Elementary School. Councilman Tompkins asked if they are working with the school district for that area? Derron advised yes, the lower field is one of the areas they are discussing. President Zygmont asked if there was any way to see the entire list of projects and get a picture of what is going on up and downstream of Hatboro? Mindy advised yes, they are putting that together for the submission of the application. President Zygmont advised that he is looking for aerials. Derron advised that Hatboro Little Field would be the farthest upstream that they are going. Councilperson Ostrander then asked if we have all of the information regarding the flood claims. Derron advised that all of the FEMA claims are laid out with addresses but they are not allowed to share that due to privacy claims. Mindy advised that by May 18th 2009, Council would need to pass a resolution stating that the Borough is making application. Then after July 20th 2009 the Borough would receive the offer if the application should be approved. Then shortly after July 20th 2009 the Borough would have to make commitment. President Zygmont advised that they would have to pass the resolution on at the Committee Meeting on May 11th 2009 if the Borough has interest. President Zygmont then asked Council what else they would need to decide whether they have interest. Councilperson Guenst advised that she feels comfortable with the information she has already been given. Mindy advised that they would get the full summary with the photos via email. President Zygmont advised that they would need to schedule a Special Council Meeting for May 11th 2009 to adopt the Resolution for the Pennvest Loan and Grant. President Zygmont advised that Council would be adding an Agenda item under Administration to consider authorizing Borough Staff permission to initiate Pennvest Grant application.

MINUTES

President Zygmont stated Council in receipt of the minutes of the January 12th 2009 Special Council Meeting. Vice President LaSorsa made a motion to approve the minutes of the January 12th 2009 Council meeting. The motion was seconded by Councilperson Guenst and approved by Council unanimously. President Zygmont stated Council is in receipt of the minutes of the March 23rd 2009 Council Meeting. Vice President LaSorsa made a motion to approve the minutes of the March 23rd 2009 Council meeting. The motion was seconded by Councilperson Guenst. Councilman Tompkins advised that he had sent a few small corrections to Borough Manager/Chief Gardner. Councilperson Reymer also stated that under G. Public and Community Relations, Councilperson Reymer was absent that meeting so she did not state that there was nothing on her agenda. She stated that the entire sentence needs to be removed. President Zygmont stated to consider approval of the March 23rd 2009 Council Minutes as ammended. This motion was approved by Council unanimously.

PRESIDENTS REPORT

President Zygmont advised that all Council, and he believes all the public, that the Borough is in the process of trying to obtain open space at Miller Meadow. As part of the Grant Application it

WHEREAS, the application period for said grant closes on April 14, 2009, and;
WHEREAS, the Borough of Hatboro desires to investigate and seek funding associated with the hiring, salary and benefits associated with the hiring of one police officer;

NOW, THEREFORE BE IT RESOLVED THAT, the Borough Council of the Borough of Hatboro hereby authorizes and directs Chief of Police James Gardner, to proceed with the timely filing the funding application under COPS Hiring Recovery Program.

Vice President LaSorsa made a motion to approve Resolution #2009-09, COPS Hiring Grant. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

B. **FIRE BOARD** – Vice President LaSorsa

Vice President LaSorsa stated he had one item for his agenda this evening, the consideration of Resolution #2009-06, Enterprise Fire Company Project Funding Resolution. Councilman Tompkins made a motion to approve Resolution #2009-06, Enterprise Fire Company Project Funding. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

C. **PUBLIC WORKS** – Councilman Rich

Councilman Rich stated he had nothing for his agenda this evening.

D. **ZONING, PLANNING & HISTORIC PRESERVATION COMMITTEE** – Councilman Tompkins

Councilman Tompkins stated he had three items on his agenda this evening; the escrow release for Station Park in the amount of $15,776.10. Vice President LaSorsa made a motion to approve the Station Park Escrow Release in the amount of $15,776.10. This motion was seconded by Councilman Rich and approved by Council unanimously.

Councilman Tompkins stated the second item on his agenda was to consider a fee waiver request for Rental Property Inspection from the Willow Grove Community Development Corp. Councilperson Guenst made a motion to approve the fee waiver request for rental inspections for properties owned by the Willow Grove Community Development Corp. This motion was seconded by Councilman Tompkins and a vote was taken by all of Council with Councilman Rich, Councilman Tompkins, Vice President LaSorsa, Councilperson Guenst and Councilperson Ostrander voting no. President Zygmont stated the motion died and the request denied.

Councilman Tompkins stated the third item on his agenda was to discuss the appointment to the Joint Appeals Board. Councilman Tompkins stated Council received two letters of interest. President Zygmont asked Assistant Secretary Hegele to contact the two interested parties and set up an interview with both for Monday, April 13th prior to the Committee Meeting.

E. PARKS & RECREATION COMMITTEE – Councilperson Guenst

Councilperson Guenst she did not have anything for her agenda this evening.

F. FINANCE, PARKS & RECREATION COMMITTEE BUDGET & INSURANCE COMMITTEE – Vice President LaSorsa

Vice President LaSorsa stated Council was in receipt of the memo done by Borough Mananager/Chief Gardner. Borough Manager/Chief Gardner met with representatives from TD Banknorth recently to discuss options that may be available to the Borough to realize better interest returns on the Borough accounts. Vice President LaSorsa thanked Borough Manager/Chief Gardner for a good job gathering the information included in the memo. Vice President LaSorsa stated he is not comfortable with recommendations, the Borough would need to hire a CPA or someone with an MBA to monitor this daily and this would have to be done right in order to work. Vice President LaSorsa would like to hold and continue with the current plan and wait and see if rates rise, which they should in time. Councilman Tompkins asked if payroll could be used as cash flow or to even consider this during budget time next year. Vice President LaSorsa stated the Borough needs someone in house with this type of expertise to do something like this. Councilman Tompkins stated might not need full cash flow would have to look at numbers to see. Councilperson Guenst stated the Borough needs to stay as liquid as possible, there are a lot of projects, grants with matches, maybe this should be looked at later after all the projects are done. President Zygmont stated the Fire House project should tie up almost 1 million, the acquisition of the property across the street; this merits looking at later and plan for the future. Vice President LaSorsa stated TD Banknorth is ranked 14, is one of the strongest banks in the country and the Borough residents need to know this and that the tax money is in a strong financial institution. Borough Manager/Chief Gardner stated that in his recent meeting with the bank they indicated that there is an indication that things are going to get better in the 3rd quarter of 2009.

G. PUBLIC AND COMMUNITY RELATIONS COMMITTEE – Councilperson Reymer

Councilperson Reymer was not present tonight. There was nothing for her agenda this evening.

H. **ADMINISTRATION & CONTRACTS COMMITTEE** – President Zygmont

President Zygmont stated he had several items for his agenda this evening; the first item on his agenda, to consider award of the Commuter Lot Reconstruction Bid to Bray Brothers in the amount of $372,329.75. Vice President LaSorsa made a motion to approve the award of the Commuter Lot Reconstruction Lot to Bray Brothers in the amount of $372,329.75. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

President Zygmont stated the next item on his agenda was to consider Resolution #2009-07, Montgomery County Revitalization Grant for Wayfinding Signs. Vice President LaSorsa made a motion to approve Resolution #2009-07. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

President Zygmont stated the last item on his agenda was to consider Resolution #2009-08, Montgomery County Revitalization Grant for Improvement of Public Parking. Councilperson Guenst made a motion to approve Resolution #2009-08. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

I. **EMERGENCY SERVICES AND PEDESTRIAN SAFETY COMMITTEE** – Councilperson Ostrander

Councilperson Ostrander stated she did not have anything for her agenda this evening.

OLD BUSINESS

Vice President LaSorsa stated Council is in receipt of fee waiver request from Fire Company for the firehouse project. Vice President LaSorsa stated this would be deferred until the April meeting. Councilman Tompkins stated Borough Council cannot waive zoning issues for the project. Fire Company President Chris Gowen stated there is a meeting later in the week with Pennoni and BCO/Zoning Officer Fugate. President Zygmont questioned if Council could make recommendations to the Zoning Hearing Board. Borough Solicitor Pionzio stated yes. Assistant Manager/Planner Hartey stated SALDO requires Planning Commission to comment on the project and the Planning Commission is meeting on Tuesday, April 7th and this is on there agenda.

NEW BUSINESS

There was no new business to come before Council this evening.

PRIVILEGE OF THE FLOOR

There was no comment from the public.

ADJOURNMENT

President Zygmont adjourned the March 23rd, 2009 Council meeting at 7:43 P.M.

EXECUTIVE SESSION

President Zygmont stated there would not be an executive session this evening.

Respectfully submitted,

Diane C. Hegele

Diane C. Hegele
Assistant Borough Secretary
Open Records Officer

BOROUGH OF HATBORO

COUNCIL MEETING

Monday, April 27th, 2009

PRESENT

President Zygmont, Vice President LaSorsa, Councilpersons Guenst, Ostrander, Tompkins, & Reymer, Mayor Hawkes, Borough Manager/Chief Gardner, Assistant Manager/Planner Hartey, Fire Marshal Bob Stauch, Assistant Fire Marshal Joe Reading, Borough Engineer Dougherty, Director of Public Works Butch Thomas and Treasurer Joe Lutz.

ABSENT

Borough Solictor Christen Pionzio. Bernadette Kearney of Hamburg, Rubin, Mullin, Maxwell & Lupin came in her absence.

CALL TO ORDER

President Zygmont called the April Meeting of the Borough of Hatboro to order at 7:02 p.m.

Mayor Norm Hawkes gave the Invocation and also held a moment of silence for Mr. Fred Tinsley. Mr. Tinsley was a life long resident of Hatboro and served for 44 years in the Public Works Department.

INFORMATIONAL PRESENTATION ON THE LOLLER CLOCK

Charles Roche, a businessman in the Borough of Hatboro addressed the Borough Council and also the audience to advise that he, along with Brian and Keith Winship of Winships' Pieces of Time located on York Road in Hatboro, are interested in restoring the Hatboro Clock. Keith Winship then presented some slides of another clock similar to the Hatboro Clock that had been restored. He stated that the clock has been cleaned. However, the gears are very rusty and dirty. There is a lot of grease and dust particle build up. Due to the gears being made from Brass there is no need for lubrication and are meant to run dry. Keith advised that he has been told that the clock is in good running condition and that it just needs to be wound. Keith advised that he could not disagree more and that due to all of the grease that winding the clock is actually causing more damage. The frame of the clock is stainless steel and had been painted. The paint is now chipping off and that is causing spots of rust. Looking at the rear view of the clock there is an actual bike sprocket that has been put on sometime in the past with a silencing mechanism. The mechanism allows the clock to be silenced at night. Keith advised that another big problem is the drum. As of now the clock is being driven with a steel cable. The clock originally had a hemp rope, which needed to be replaced frequently. However, the steel cable is destroying the drum. What would need to be done is the clock be taken completely apart. Each piece would be cleaned and or repaired and then the clock would be put back together. There would be a gear put on that would need to be custom made so that the clock would wind itself. Charles Roche then stated that he feels that the next step in this process is for Borough Council to think this over. Mr. Roche also advised that he is interested in putting together a program to try and raise the money for the restoration of the clock. Councilperson Guenst then asked of this project could happen for $50,000.00? Mr. Roche advised

has been requested by the County Staff that the Borough provide some trails and other wild life features to be used on the Miller Meadow property. President Zygmont advised that he did not receive this information until about 5:45 pm that evening, otherwise it would have been on the Agenda. If something is done immediately then the presentation at the end of the month may suffer. President Zygmont asked that this item be added to tonight's agenda without going through the Committee Meeting. President Zygmont advised they are adding Contract for Professional Services for conceptual drawings of park features to the Agenda.

BOROUGH MANAGER/CHIEF OF POLICE REPORT

Borough Manager/Chief Gardner advised that the Police Department has been approved for $125,000 Grant for a new Police Communication System for new radios and software for their computers. Borough Manager/Chief Gardner stated that he received an email from the Department of Justice stating that Borough Manager/Chief Gardner needs to complete the application process, which is a multi step process that takes two to three weeks. Borough Manager/Chief Gardner advised that he is not sure if there is any Council action that needs to be taken at this time but he will keep them informed as he goes through the application process.

Borough Manager/Chief Gardner stated that himself and the solicitor would be meeting with the Second Alarmers on Wednesday May 6th, 2009 regarding their service contract and the lease.

Borough Manager/Chief Gardner stated that he received the routine events request form for the re-occurring events that have been taking place in the Borough for the last couple of years. Borough Manager/Chief Gardner advised he just wanted to provide Council with the dates. The Summer Sidewalk and the Pet Rescue is scheduled for July 18th, 2009. The Moonlight Memories Car Show is scheduled for July 25th, 2009. The Holiday Parade is scheduled for November 22nd, 2009. Borough Manager/Chief Gardner advised that he has some of the information for the Hatboro Haunts, which is the fall festival that is scheduled for October 23rd, 2009 thru November 1st, 2009. There are limited details at this time. There was a letter sent to the Chamber of Commerce stating that although the Borough is in receipt of the Events Request form there is not enough data. President Zygmont stated that even if the form does not deviate from the form submitted last year, Council would like the opportunity to review the request form.

Borough Manager/Chief Gardner advised that the Commuter Lot Project is moving ahead. There is a pre-construction meeting on April 30th, 2009. There is also a bid opening scheduled for the North Penn Street Storm Sewer work that needs to be done.

Councilperson Guenst asked if the Borough had received an Event Request form for the Turtle Races? Borough Manager/Chief Gardner advised no. Councilperson Guenst advised that she has a package from Harriet Ersham that she will bring in to Borough Hall. The Turtle Races are scheduled to take place on June 14th, 2009. President Zygmont advised that he wants all organizations to get there re-occurring Event Request Forms in so that Council can take care of all of these in one fell swoop.

TREASURER'S REPORT

1. CASH BALANCES & INVESTMENT INCOME REPORT

Treasurer Lutz reported that the interest earned

Vice President LaSorsa made a motion to approve the Cash Balance and Investment Report for the month of April. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

2. APPROVAL OF WARRANT LIST & MANUAL CHECKLIST

Treasurer Lutz advised that he reviewed the Warrant List and that all of the invoices seemed to be in order. He stated that there is one invoice that he would like to review with the Borough Manager at a later date as there is possible reimbursement to the Borough. There is another invoice that he would like to review with the Solicitor regarding the wording. Treasurer Lutz advised that neither of these issues will effect the signing of the checks. Vice President LaSorsa made a motion to approve the warrant list and manual checklist for the month of April. This motion was seconded by Councilman Tompkins.

President Zygmont advised that Council had had most of the Warrant and Manual checklist since the previous week and that there were a few changes that had been made. Councilperson Ostrander asked what the changes had been? Borough Manager/ Chief Gardner advised that there was a change regarding a check for dental coverage in the amount of $1575.56 and a check that had to be re-issued to the PA Local Government Secretaries Academy, they misplace the original check that was sent 3 months ago. Vice President LaSorsa made a motion to authorize payment of bills for the month of April 2009. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

3. PAYMENT OF BILLS

Vice President LaSorsa made a motion to authorize payment of bills for the month of April 2009. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

MAYOR'S REPORT

Mayor Hawkes advised that he had no report.

SOLICITORS REPORT

Bernadette Kearney attended the meeting in Solicitor Christen Pionzios' absence. Ms. Kearney advised that she had three items to report on tonight. First of which was the review of the Station Park parking lot. Ms. Kearney advised that Solicitor Pionzio had advised her that the license agreement had been sent over to the Station Park owners. Solicitor Pionzio has followed up with him twice and he has advised that he needs some time to review. Ms. Kearney advised that Solicitor Pionzio stated that she will continue to follow up with him.

Ms. Kearney advised the second item she had to report on tonight was in reference to the Fire Company and the Grant that the Borough is getting through the State for the addition to the Fire House. Ms. Kearney advised that they are pushing off the agreement with the state until next month. Ms. Kearney advised that Solicitor Pionzio has drafted four documents. A Cooperation Agreement for the Firehouse and the Borough. The State has agreed that they will sign off on the documents. Also an Indemnity and Release Agreement. Ms Kearney advised that Council will have all of these documents by the next Committee Meeting.

Ms. Kearney advised the last thing that she has to report on is in reference to Bank Street. Solicitor Pionzio has been looking through old plans to try and determine how Bank Street came about. She is also working on the Title search for Bank Street.

SUPERINTENDENTS REPORT

President Zygmont stated the Public Works report was submitted in advance and copies of the report were available on the table in the front of the meeting room.

FIRE MARSHALS REPORT

President Zygmont stated that the Fire Marshals report was submitted in advance.

PRIVILEGE OF THE FLOOR

President Zygmont stated this privilege of the floor is for residents to address Council to discuss items on tonight's agenda.

Mrs. Phillips, Wood Street asked to address Borough Council regarding the Miller track and the purchase of the house on the Miller Property. President Zygmont advised that the Borough needs to have some engineering work done on trails that was requested by the County who would like to see it incorporated in the Grant application to see if the Borough would be elligible for the Grant to acquire the property. Mrs. Phillips asked what the purchase would cost the Borough? President Zygmont advised that tonight was to discuss the cost of the Engineering drawings. Councilperson Guenst stated that it is a development of some conceptual drawings. Councilperson Guenst advised that there are some that are already done in the Open Space Plan that are shown on the Miller Meadow side. Councilperson Guenst stated that what they are thinking of is a raised plank walkway that they have in wetlands as to disturb the ground underneath. President Zygmont then asked Engineer Dougherty what type of cost the Borough would incur to have these drawings prepared. Councilperson Guenst also asked what the deadline is? Engineer Dougherty stated the deadline is May 26th, 2009. Engineer Dougherty stated that he thought it could take up to 2 to 3 days for the aerial photo and that the cost would be $80.00 per hour for 32 hours. President Zygmont stated that the fees are not to exceed $2500.00. President Zygmont advised that the Grant amount that is available to the Borough is $860,000.00. The acquisition price for the property is right around $900,000.00. Because it is a matching Grant the cost to the Borough is going to be somewhere around $135,000.00.

PUBLIC SAFETY- Mayor Hawkes (Chair) & Ostrander

Mayor Hawkes advised that he had one agenda item tonight and one heads up. The agenda item is the Recovery Act Assistance Grant which he referred to Borough Manager/Chief Gardner. Borough Manager/Chief Gardner advised that separate from the Cops Grant and separate from the Allocation Grant that the US Recovery Bill Stimulus Plan funded 23 Montgomery County Municipalities for policing needs. Hatboro was allocated $12,581.00. The County is required to submit one application for all 23 Municipalities. Borough Manager/Chief Gardner advised that the municipality of Norristown's Planning Department is preparing the application. The Boroughs requirement is to submit the project narrative and the project budget to Norristown by May 8th 2009. During the month of May there will be a resolution and a memorandum of understanding that Council will have to review. Borough Manager/Chief Gardner stated that he looked in several

areas of need for the Police Department. One of the requirements of this Grant is that what the Borough uses it for can not be a budgeted item. Borough Manager/Chief Gardner recommended to Council that this Grant money be used to replace the duty issue side arms. Borough Manager/Chief Gardner stated that he had put a packet together for Council mail with a project narrative and a project budget. The numbers are actual budget quotes from vendors. Borough Manager/Chief Gardner stated that he suspects that the project will cost less than the vendor budget numbers when they go to make the purchase. Borough Manager/Chief Gardner also recommends that part of the acquisition be used to purchase a sonic ultra sonic cleaning system. He advised that a lot of Police Departments are currently using this system and it extends the life of the fire arm. Councilperson Guenst asked it there has been any trouble with the fire arms jamming? Borough Manager/Chief Gardner advised that they maintain there fire arms very well and that they are good quality weapons. It is a rare occasion if it happens at all. Borough Manager/Chief Gardner stated that what is important is that the weapon does not malfunction when it counts. He advised that weapons should be replaced every 10 years. President Zygmont confirmed that this was not a voting item on the agenda tonight. Councilperson Tompkins asked since the cost of the replacement side arms will come in less than the amount of the Grant would it make sense to add another item to the project narrative? Borough Manager/ Chief Gardner advised that he has posed that question to Norristown, however, because it is under such a tight deadline he feels that they want something quick. Borough Manager/Chief Gardner stated that he has put in for amendments to Grants before. He is not sure if that would be the case with this Grant.

Mayor Hawkes advised that the traffic signal for Victorian Village is going to be operating shorty. Mayor Hawkes stated that the Borough needs to start thinking about the implications for Academy, Moreboro and Crooked Billet Roads. Mayor Hawkes stated that the Borough needs to determine there is going to be cut through traffic on those roads, which he advised he thinks there will be and also what the Borough is going to do about it. Mayor Hawkes advised that if anyone has any ideas to please get them to him. President Zygmont asked if the Borough should wait until after the traffic signal has been up and running? Mayor Hawkes advised yes that is why he stated that the Borough should start thinking about it. President Zygmont stated that he thought the traffic signal had to be up and running for a period of 30 days. Borough Manager/Chief Gardner advised that there is seven days of bagging and then seven days of flash and then they activate the traffic signal. Borough Manager/Chief Gardner also advised that they could put equipment out to take traffic counts. He further advised that they do have some the before counts.

FIREBOARD- Vice President LaSorsa (Chair) & Mayor Hawkes

Vice President LaSorsa advised that he would like to request Council to consider authorization to open a separate bank account which would be called the Fire House Improvement Fund. Councilperson Guenst made a motion to approve the request for authorization to open a separate bank account which would be called the Fire House Improvement Funds. This motion was seconded by Councilperson Ostrander. Councilperson Reymer asked Vice President LaSorsa if any money would need to be deposited into the new account at the time that it was opened? Vice President LaSorsa advised that he would have the amount that needed to be transferred. This motion was approved by Council unanimously.

PUBLIC WORKS COMMITTEE- Councilman Rich (Chair) & Zygmont

Councilperson Rich requested that Council consider the request to acquire a dump truck and plow

blade through the Costars program. Vice President LaSorsa made a motion to approve the request to acquire a dump truck and plow blade. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

ZONING, PLANNING & HISTORIC PRESERVATION- Councilman Tompkins (Chair) & Guenst

Councilman Tompkins advised that he had several items on his agenda tonight. First would be the consideration of Resolution #2009-10, Land Development Waiver Fire House Project. Councilperson Guenst made a motion to consider Resolution #2009-10, Land Development Waiver Fire House Project. This motion was seconded by Vice President LaSorsa. Councilperson Reymer asked with regards to #5 on the resolution, should the question marks be removed. Borough Manager/Chief Garder advised yes, just a typo. This motion was approved by Council unanimously.

Councilman Tompkins advised the second item on his agenda would be the consideration of Resolution #2009-11, 69 Byberry Road Land Development Extension. Vice President LaSorsa made a motion to consider Resolution #2009-11, 69 Byberry Road Land Development Extension. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

The next item on the agenda would be to consider the appointment of Michael Ostrander to the Joint Appeals Board. Vice President LaSorsa made a motion to consider appointment the appointment of Michael Ostrander to the Joint Appeals Board. This motion was seconded by Councilperson Guenst. Councilperson Tompkins advised that the Joint Appeals board is a body that is an appeal mechanism for Code decisions made by a Municipal Officer. The Borough has entered into a Joint Appeals Board with a number of neighboring municipalities, each one appointing there own representative that would hear any of those appeals. This motion was approved by Council unanimously.

Final item on the Councilman Tompkins agenda is to consider the approval of the Settlement Agreement for 400 North York Road. Julie Von Spreckleson, an attorney with the lawfirm of Eastburn and Grey was present with Damion LaRosa and Henry Jacquelin who are the legal owners of 400 North York Road. Ms. Spreckleson advised that the property is comprised 1.93 acres and is located in the R3 Zoning District. It is currently comprised of a single family residence. Ms. Spreckleson advised that the property is located along the Blairmill Run Tributary which runs along the southern border of the property and is within the boundaries of the Pennypack Watershed. A portion of the property is also then located within the Floodplain. The applicants are proposing to demolish the existing structure and construct two residential buildings. The first residential building would be comprised of seven townhomes and the second residential building would be comprised of three townhomes. This would be a total of 10 townhome units which are permitted in the R3 Zoning District of the Borough. Ms. Von Spreckleson advised that there has been an issue with regards to the Floodplain line. There has been a new study, which is the Heck-Ras study that shows that only about one third of the property would then be affected by the Floodplain. The new Floodplain line from the Heck-Ras study has been adopted by FEMA pursuant to a letter of map revision. Ms. Von Spreckleson advised that Solicitor Pionzio has drafted a Settlement Agreement which is before Council tonight. Vice President LaSorsa made a motion to approve the Settlement Agreement for 400 North York Road. This motion was seconded by Councilperson Guenst. Councilman Tompkins wanted to clarify that this Settlement

Agreement includes the Engineering letters dated February 19th and March 11th with regards to the sidewalks. Engineer Dougherty advised that one of the waivers in the Settlement Agreement is that the sidewalks would not have to wrap around from York Road to the first set of driveways. This motion was approved by all of Council with the exception of Councilperson Reymer.

PARKS AND RECREATION COMMITTEE- Councilperson Guenst (Chair) & LaSorsa

Councilperson Guenst apologized for not realizing that there was an item missing from her portion of the agenda regarding approving the Goose Guys Contract for Miller Meadow for $100.00 a month. The Goose Guys will not be contracted this year for Memorial Park as the Borough would like to purchase the coyote decoys and give that a try this year. The cost of the coyote decoys not to exceed $600.00. Vice President LaSorsa made a motion to approve the request to obtain the coyote decoys, not to exceed $600.00. Also to award the Goose Guys Contract for Miller Meadow at $100.00 per month for the summer. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

Councilperson Guenst requested Council consider the Event Request for the Summer Fun Festival featuring fire works with the conditions that all Employee Overtime be reimbursed, Payment of all additional Electric usage and full restoration of the meadow after the festival to it's original condition. Councilperson Guenst made a motion to approve the Event Request for the Summer Fun Festival featuring fireworks with the conditions that all Employee Overtime be reimbursed, Payment of all additional Electric usage and full restoration of the meadow by Public Works after the festival to it's original condition with cost. This motion was seconded by Councilperson Reymer. Councilman LaSorsa asked how will the cost for Public Works time be determined? Councilperson Guenst advised that she had spoken with Brent Sine of the Public Works Department and they are going to get together and take photo's of the Meadow before the festival. This motion was approved by Council unanimously.

Councilperson Guenst requested that Council consider the Fee Waiver for Park Use and Fire Marshal Fees for Summer Fun Festival and Fireworks. Vice President LaSorsa made a motion to approve the Fee Waiver for Park Use and Fire Marshal Fees for Summer Fun Festival and Fireworks. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

ADMINISTRATION & CONTRACTS- President Zygmont (Chair) & Tompkins

President Zygmont advised that the next item on the Agenda is to consider the Approval of a Pro-Form Professional Services Contract for the review of Land Development. Vice President made a motion to approve the Pro-Form Professional Service Contract for the review of Land Development. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

President Zygmont advised the next item on the Agenda is to consider the Award Bid for Park Avenue Stormwater Extension Project to Associated Paving Contractors Inc. in the amount of $94,750.00. Vice President LaSorsa made a motion to Award the Bid for Park Avenue Stormwater Extension Project to Associated Paving Contractors Inc. in the amount of $94,750.00. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

President Zygmont advised the next item on the Agenda is to consider authorization of Council

President Zygmont to execute Easements for Park Avenue Stormwater Extension Project. Vice President LaSorsa made a motion to authorize Council President Zygmont to execute Easements for the Park Avenue Stormwater Extension Project. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

President Zygmont advised the next item on the Agenda is to consider authorization to proceed with the H2O Grant Program application planning. Vice President LaSorsa made a motion to authorize to proceed with the H2O Grant application planning. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

President Zygmont advised the next item on the Agenda is to consider the 2006 County Revitalization Grant Extension request. President Zygmont stated that this is a 2006 Grant that has expired but the Borough is requesting an extension to put speakers in the decorative lamp posts in town. Vice President LaSorsa made a motion to approve the 2006 County Revitalization Grant Extension request. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

President Zygmont advised the next item on the agenda is to consider Changeorder #1 for the West Monument Avenue Bridge Project. Borough Manager/Chief Gardner advised that Changeorder #1 is for some additional masonry work that needed to be done to the bridge, some additional signage for the detour and some additional rock for the stream bed. Borough Manager/Chief Gardner advised the net on this is $2582.10. Vice President LaSorsa made a motion to approve Changeorder #1 for the West Monument Avenue Bridge Project. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

President Zygmont advised the next item on the agenda is to consider Payment #2 for the West Monument Avenue Bridge Project. Vice President LaSorsa made a motion to approve Payment #2 for the West Avenue Bridge Project. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

President Zygmont advised the next item on the agenda is to consider the Employee Ratification List for April 2009. Vice President LaSorsa made a motion to approve the Employee Ratification List for April 2009. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

President Zygmont advised the next item on the agenda is to consider the Authorization of Borough Staff to initiate the Pennvest Grant application. Vice President LaSorsa made a motion to approve the Authorization of Borough Staff to initiate the Pennvest Grant Application. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

President Zygmont advised the next item on the agenda is to consider hiring Gilmore and Associates Professional Service to draw a schematic of trails and park at Miller Meadow in an amount not to exceed $2500.00. Vice President LaSorsa made a motion to approve the hiring of Gilmore and Associates to draw a shematic of trails and park at Miller Meadow in an amount not to exceed $2500.00. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

EMERGENCY SERVICES AND PEDESTRIAN SAFETY COMMITTEE- Councilperson Ostrander (Chair) and Rich

Councilperson Ostrander advised that the only item on her agenda this evening was an update on the Emergency Management Tabletop Drill. Councilperson Ostrander advised that they did have the Emergency Management Table Top drill. Councilperson Ostrander stated that she would like to thank Borough Manager/Chief Gardner and Fire Marshal Bob Stauch for putting it together. Councilperson Ostrander stated that they had the Emergency Management team sit around a table and go over a scenario, which they chose to be a flood. They went over how they would handle it such as where they would set up shelters. Councilperson Ostrander stated that it was a great drill. They then sat back after the drill and went over everything to see what they could improve on. The one thing that did come up was communications. Councilperson Ostrander advised that the telephone system is not up to par but she is aware that that is something that the Borough is currently looking into anyway.

Councilperson Ostrander stated that she wanted to give some information regarding the Swine Flu. Councilperson Ostrander advised that Borough Manager/Chief Gardner and Fire Marshal Bob Stauch put together a team and looked over there procedure for Pandemic Flu, which is the all purpose scenario. Councilperson Ostrander advised that there was paperwork on the table at the front of the Council room to give more information and that it would also be on the website and the Community Channel.

OLD BUSINESS

Butch Thomas, the Superintendant of Public Works, advised that the new sweeper is in. Superintendent Thomas advised that the mechanic would be in in house training for the next two days and that the sweeper should be on the road by next week.

NEW BUSINESS

Councilman Rich advised that the DEP is sponsoring an Energy Conservation seminar for Municipal Governments to discuss the conservation of Energy. Councilman Rich advised that it is being held on Wednesday, May 6th, 2009 in Lancaster. Councilman Rich advised that he is going to attend the seminar.

PRIVILEGE OF THE FLOOR

Resident John Demsicak of 225 East Monument Road stated that the Borough should consider, with the possibility of the upcoming project through the Pennvest Grant, that anytime you retain water you change the concentration of the silt. Mr. Demsicak stated that unfortunately in Hatboro, when there is flooding, there is not just water and good old fashioned dirt flowing through, the least of which is pesticides. He stated that if it was going to end up in some type of retention basin that is one thing, but if it is going to be dumped somewhere where people play that that is another thing entirely.

Business owner Barbara Davis of Botany Decorating, 513 N York Road advised that she just wanted to make the Borough aware of a very dangerous traffic situation between the Dunkin Donuts and the McDonalds. Ms. Davis advised that when the traffic is travelling North on York Road they are travelling at a full rate of speed and do not realize they have to slow down because the road goes from two lanes to one. She advised that her car has been smashed into twice and she considers this a "bad ass" traffic area. Ms. Davis would like to know what can be done, such as contacting the County or putting in a flashing light, to give the drivers of these vehicles more

notice that the two lanes will become one. Both Councilperson Guenst and Mayor Hawkes advised that they have met with Penndot and that they do have a plan for the Northern part of York Road where it is four lanes. Councilperson Guenst advised there is a Grant application but she does not have the paperwork in front of her. Councilman Tompkins and Councilperson Guenst advised that it is a State Road so no matter what is done there it has to meet State approval. Mayor Hawkes advised that the Borough would like to move the merging of the lanes further down on York Road. Mr. Demsicak then asked if there was any stimulus money available? Borough Manager/Chief Gardner advised that they have met with Penndot and they were told that it meets with Penndot regulations. Borough Manager/Chief Gardner advised that they do currently have a Grant Application for Traffic Calming.

Resident Bruce Hart of 175 Earl Lane advised that he received a phone call today stating that the discussion of the results of the closing of the schools will be held May 4th not May 18th. Mr. Hart advised he thought that some of Council may be interested in that information. President Zygmont advised that the discussion is not what schools are going to be closed, it is going to be a presentation of a study of feasibilities. Mr. Hart advised he just wanted Council to be aware that they changed the date. Councilwoman Reymer advised that she will attend this meeting to share the Resolution that the Borough adopted on behalf on the Borough. Mr. Hart then stated that he saw an article for Central Bucks Schools that there will be one centralized Tax Collector for Income Tax. Councilman Tompkins stated that there had been some talk of consolidating the tax collectors but he did not think it had been approved yet. Councilperson Reymer asked if it would impact the Borough's tax collector and was advised no, that it was for Earned Income Tax. Mr. Hart stated that the article also says that the Borough would have to appoint someone. Councilperson Tompkins stated that Council would have to look into the status of this for the next Council meeting.

ADJOURNMENT

President Zygmont adjourned the April 27th Council meeting at 9:18 P.M.

Respectfully submitted,

Amy

E. Wack

Borough Administrator

Need to Be
Signed by
Bors Mgr.

BOROUGH OF HATBORO
COUNCIL MEETING
MONDAY, MAY 18th, 2009

PRESENT
President Zygmont, Vice President LaSorsa, Councilpersons Ostrander, Tompkins, Reymer & Rich, Mayor Hawkes, Borough Manager/Chief Gardner, Assistant Secretary Hegele, Superintendent Thomas, Borough Engineer Dougherty & Borough Solicitor Pionzio.

ABSENT
Councilperson Guenst, Assistant Manager/Planner Hartey, Building Code Official/Zoning Officer Fugate & Treasurer Lutz were absent this evening.

CALL TO ORDER
President Zygmont called the May meeting of the Council of the Borough of Hatboro to order at 7:00 P.M.

INVOCATION
Mayor Hawkes gave the invocation for the May meeting of Council.

MINUTES
President Zygmont stated Council is in receipt of the April 27th, 2009 Council Meeting Minutes. Vice President LaSorsa made a motion to approve the April 27th, 2009 Council meeting minutes. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

MAYORS REPORT
President Zygmont announced the Mayors Report would be moved this evening. Mayor Hawkes announced that two residents in the audience won medals in this year Montgomery County Senior Games. Mayor Hawkes announced that Mrs. Gwyn Gutkenest has been participating for the past 15 years and Mrs. Mae Steere has participated for the past 3 years. Borough Council congratulated both. President Zygmont announced that Mayor Hawkes also participated and won two medals. Borough Council also congratulated the Mayor.

PRESIDENTS REPORT
President Zygmont stated he had nothing to report this evening.

BOROUGH MANAGER/CHIEF OF POLICE REPORT
Borough Manager/Chief of Police stated he had one item to report on this evening, that he recently successfully submitted police grants.

TREASURERS REPORT

1. **CASH BALANCES & INVESTMENT INCOME REPORT**
   President Zygmont reported Treasurer Lutz was absent this evening. Vice President LaSorsa reported the interest earned in April 2009 was $2,752.25. This was for all 14 accounts at TD Banknorth at a rate of 0.595%. Total account balance is $5,690,392.28. Councilperson Reymer made a motion to approve the Treasurer's report for the month of April 2009. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

2. **APPROVAL OF WARRANTS LIST**

President Zygmont stated Council is in receipt of the warrant list and manual checklist. President Zygmont stated Council has had the opportunity in advance to review the warrant list and direct any questions to the Chief or Department Head. President Zygmont stated the approval of the warrant list includes Contractor Payment #1 for the Hatboro Memorial Pool Fence Project and Final Contractor Payment for the West Monument Avenue Bridge Project. Vice President LaSorsa made a motion to approve the warrant list for the month of May 2009. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

3. **PAYMENT OF BILLS**

Vice President LaSorsa made a motion to authorize the payment of bills and ratification of transfers for the month of May 2009 including the transfer of $300,000.00 from the GOB to the Fire House Improvement Fund and the transfer of $81,964.58 from the Fire House Improvement Fund to GOB for engineering fees for the firehouse project. This motion was seconded by Councilman Rich and approved by Council unanimously.

SOLICITORS REPORT

Solicitor Pionzio stated she did not have anything to report this evening.

SUPERINTENDENTS REPORT

President Zygmont stated the Public Works report was submitted in advance and copies of the report were available on the table in the front of the meeting report. Superintendent Thomas stated he had nothing additional to report.

FIRE MARSHALS REPORT

President Zygmont stated the Fire Marshals report was submitted in advance and copies of the report were available on the table in the front of the meeting room.

PRIVILEGE OF THE FLOOR

President Zygmont stated this privilege of the floor is for residents to address Council to discuss voting items on tonight's agenda. There was no comment from the public.

COUNCIL/COMMITTEE REPORTS

A. **PUBLIC SAFETY COMMITTEE**- Mayor Hawkes

Mayor Hawkes stated he had nothing for his agenda this evening.

B. **FIRE BOARD** – Vice President LaSorsa

Vice President LaSorsa stated he had nothing for his agenda this evening, but announced that Fire Company Audit is done and will be in Council packets.

C. **PUBLIC WORKS** – Councilman Rich

Councilman Rich stated he had three items on his agenda for this evening; the first was the approval of Resolution #2009-14. Vice President LaSorsa made a motion to approve the LED Streetlight Grant Resolution No. 2009-14. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

Councilman Rich stated the second item on his agenda was to consider award North Penn Street Inlet Repair to Wexcon Inc. in the amount of $10,350.00. Vice President LaSorsa made a motion to approve the North Penn Street Inlet Repair contract to Wexcon Inc. in the amount of $10,350.00. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

Councilman Rich stated the last item on his agenda was to consider approval of engineering costs for the 2009 Road Paving Program. Vice President LaSorsa made a motion to approve the 2009 Road Paving Engineering costs. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

D. ZONING, PLANNING & HISTORIC PRESERVATION COMMITTEE – Councilman Tompkins

Councilman Tompkins stated he had nothing for his agenda this evening, but announced that the Enterprise Fire Company would be presenting plans for the Fire House project at the June Committee meeting.

E. PARKS & RECREATION COMMITTEE – Councilperson Guenst

President Zygmont stated that Councilperson Guenst had a family matter and could not attend tonight's meeting. Vice President LaSorsa made a motion to approve the Park Use Fee Waiver and deposit waiver for the Union Library Turtle Race. This motion was seconded by Councilperson Reymer and approved by Council with Councilperson Ostrander abstaining.

F. FINANCE, PARKS & RECREATION COMMITTEE BUDGET & INSURANCE COMMITTEE – Vice President LaSorsa

Vice President LaSorsa stated he had nothing for his agenda this evening.

G. PUBLIC AND COMMUNITY RELATIONS COMMITTEE – Councilperson Reymer

Councilperson Reymer stated she did not have anything for her agenda this evening, but wanted to announce the Spring Fair begins on May 25th and runs through May 30th in Miller Meadow, with fireworks on May 29th.

H. ADMINISTRATION & CONTRACTS COMMITTEE – President Zygmont

President Zygmont stated he had several items for his agenda this evening; the first item authorization to execute agreement for temporary parking at Station Park while the Commuter Lot is undergoing renovations. Vice President LaSorsa made a motion to approve authorization to execute the agreement for the Commuter Lot Project. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

President Zygmont stated the second item on his agenda is the employee ratification list for May 2009. Vice President LaSorsa made a motion to approve the employee ratification list for May 2009. President Zygmont stated this was discussed at the committee meeting and the list that was given to Council does not include the pool employees for the 2009 season. Borough Manager/Chief Gardner stated that he asked for a current list and was told that there are no new hires it is all the same employees returning from the 2008 season with the same rate of pay. President Zygmont asked if the motion could be withdrawn and a new motion put on the floor. Councilman Tompkins seconded the withdrawal of the motion by Vice President LaSorsa. Vice President LaSorsa made another motion to approve the May Employee Ratification List subject to changes to the 2008 Pool employees at 2008 pay rates. This motion was seconded by Councilman Tompkins and a vote was taken with Councilpersons Rich, Reymer, Tompkins, LaSorsa & Ostrander voting yes and President Zygmont voting nay.

1. **EMERGENCY SERVICES AND PEDESTRIAN SAFETY COMMITTEE** – Councilperson Ostrander

Councilperson Ostrander stated she did not have anything for her agenda this evening.

OLD BUSINESS

There was no old business to come before Council this evening.

NEW BUSINESS

Councilman Tompkins asked if there was going to be a precondition report done for Miller Meadow before the Spring Fair. President Zygmont asked Superintendent Thomas to take Councilman Rich out to Miller Meadow. President Zygmont stated that the event would have to pay for any repairs if needed at Miller Meadow.

PRIVILEGE OF THE FLOOR

There was no comment from the public.

ADJOURNMENT

President Zygmont adjourned the May 18th, 2009 Council meeting at 7:23 P.M.

EXECUTIVE SESSION

President Zygmont stated there would not be an executive session this evening.

Respectfully submitted,

Diane C. Hegele

Diane C. Hegele
Assistant Borough Secretary
Open Records Officer

BOROUGH OF HATBORO
COUNCIL MEETING
MONDAY, JUNE 22nd, 2009

PRESENT
President Zygmont, Vice President LaSorsa, Councilpersons Guenst, Tompkins, Reymer & Rich, Mayor Hawkes, Borough Manager/Chief Gardner, Assistant Manager/Planner Hartey, Assistant Secretary Hegele, Superintendent Thomas, Building Code Official/Zoning Officer Fugate, Borough Engineer Dougherty, Treasurer Lutz & Borough Solicitor Pionzio.

ABSENT
Councilperson Ostrander & Borough Solicitor Pionzio was absent this evening.

CALL TO ORDER
President Zygmont called the June meeting of the Council of the Borough of Hatboro to order at 7:00 P.M.

President Zygmont announced that there was an executive session held at 5:30 PM this evening to discuss an employee matter.

INVOCATION
Mayor Hawkes gave the invocation for the June meeting of Council.

MINUTES
President Zygmont stated Council is in receipt of the May 18th, 2009 Council Meeting Minutes. Vice President LaSorsa made a motion to approve the May 18th, 2009 Council meeting minutes. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

PRESIDENTS REPORT
President Zygmont stated he had one item to report, an addition to the agenda, consideration of professional services contract due to Assistant Manager/Planner Hartey's resignation.

BOROUGH MANAGER/CHIEF OF POLICE REPORT
Borough Manager/Chief of Police stated he had several items to report this month. Borough Manager/Chief Gardner stated he is in receipt of an event request form for the Hatboro Pool Parents Car Wash to be held on July 25th at the Pool. Borough Manager/Chief Gardner stated he approved this request he was just informing Council.

Borough Manager/Chief Gardner stated he was recently notified that the Borough was turned down for the PCTI grant, the reason was the criteria is for a more educational project for motorists.

Borough Manager/Chief Gardner stated the Civil Service Commission met in June to approve the participation in the September 26th Consortium test in Abington Township.

Borough Manager/Chief Gardner stated the North Penn Inlet project is expected to begin the week of July 13th and should take approximately 1 to 2 weeks, notice will be sent to the residents in the area.

Borough Manager/Chief Gardner stated he looked into a flashing light at the Hatboro Pool, the Borough can do an extension of the permit at a nominal cost. Borough Engineer Dougherty stated this could also trigger ramp requirements, crosswalk/curbing could cost $5000 to $7000 per ramp and two ramps would be required.

Borough Manager/Chief Gardner updated Council on the Wood Street complaint. Borough Manager/Chief Gardner contacted the company and they were very cooperative indicating they would disseminate a letter to the truckers who make deliveries. Borough Manager/Chief Gardner will be following up with a letter. Borough Manger/Chief Gardner stated he was at the location this past Friday and GPS will take a driver right through Wood Street, it is impossible to call/notify all GPS manufacturers.

Borough Manager/Chief Gardner stated he along with Assistant Manager/Planner Hartey and BCO Fugate met with SEPTA recently, SEPTA is planning on reconstructing the Hatboro Train Station and the surrounding land, including platform, building and parking lot modifications, should have more information in August.

Borough Manager/Chief Gardner stated in February the EPA met with Council regarding the Raymark site on Jacksonville Road. The EPA contacted the Borough recently to update the Borough on progress. The EPA is currently in negotiations with SEPTA for access agreement. EPA wanted Council to know this and they are working on this matter and will be back to Council with information as soon as possible.

Borough Manager/Chief Gardner stated there would be a change order on the agenda this evening, change order number 3 for the Commuter Lot Project.

Borough Manager/Chief Gardner stated his last item was to wish Mike Hartey the best of luck and it was a privilege to work with him. Mr. Hartey thanked the staff, residents, Council and everyone he has worked with over the past year and a half.

MAYORS REPORT

Mayor Hawkes stated he had one item to report on this month. Mayor Hawkes reported he recently joined the group Mayors Against Illegal Guns, an organization of Mayors in the Commonwealth of oppose illegal guns.

TREASURERS REPORT

1. **CASH BALANCES & INVESTMENT INCOME REPORT**
   Treasurer Lutz stated he has reviewed the invoices and recommends payment. Treasurer Lutz did not review his report. Treasurer Lutz's report reflected interest earned in May 2009 was $2,752.25. This was for all 14 accounts at TD Banknorth at a rate of 0.450%. Total account balance is $5,690,393.28. Vice President LaSorsa made a motion to approve the Treasurer's report for the month of May 2009. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

2. **APPROVAL OF WARRANTS LIST**
   President Zygmont stated Council is in receipt of the warrant list and manual checklist. President Zygmont stated Council has had the opportunity in advance to review the warrant list and direct any questions to the Chief or Department Head. Vice President LaSorsa made a motion to approve the warrant list for the month of June 2009. This motion was seconded by Councilman Rich and approved by Council unanimously.

3. **PAYMENT OF BILLS**

Vice President LaSorsa made a motion to authorize the payment of bills and ratification of transfers for the month of June 2009. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

SOLICITORS REPORT

Solicitor Pionzio was absent this evening, Ms. Bernadette Kearney, Esquire was here in her place. Ms. Kearney reported Solicitor Pionzio is in receipt of a Right to Know appeal and is working on response to appeal. Solicitor Pionzio has spoken to the Open Records Office Solicitor.

SUPERINTENDENTS REPORT

President Zygmont stated the Public Works report was submitted in advance and copies of the report were available on the table in the front of the meeting report. Superintendent Thomas stated he had nothing additional to report.

FIRE MARSHALS REPORT

President Zygmont stated the Fire Marshals report was submitted in advance and copies of the report were available on the table in the front of the meeting room.

PRIVILEGE OF THE FLOOR

President Zygmont stated this privilege of the floor is for residents to address Council to discuss voting items on tonight's agenda. Ms. Patty Fleming, President of the Library Board of Directors asked about the fee waiver request for the Library Zoning Letter. Ms. Fleming stated that this letter is for a grant and is a joint effort between the municipality and the library. Ms. Fleming is not sure why the library had to pay this fee. Ms. Fleming indicated that the Library was in receipt of a donation to cover this cost, but is asking since they already paid the Borough she would like to request a refund of the $100.00 fee. President Zygmont asked who owned the property? President Gowen from the Enterprise Fire Company was asked who paid for the recent application of the Fire Department; President Gowen indicated the Fire Company had to pay all applicable fees for their Grant paperwork. Ms. Fleming stated that this is only a letter and the payment of this fee was ridiculous. Councilman Tompkins stated that every taxpayer has to pay and waiving this would set precedence. Councilperson Reymer stated the Library applied because Council asked them to do so. President Zygmont stated that Council suggested to the Library to look at the Keystone Grant. BCO/Zoning Officer Fugate stated he needed to contact the Solicitor so therefore there would be a bill forthcoming for her services.

Mrs. Sandy Zygmont, 645 South York Road, stated waiving this fee would set precedence; it would be a different situation if the Borough owned the property. Mrs. Zygmont suggested the Library get a donation for the fee. Mrs. Zygmont stated taxpayers should not be paying for in kind services for staff time.

Councilperson Reymer suggested making a motion. President Zygmont stated the floor was not open for a motion that this was only privilege of the floor.

Vice President LaSorsa stated that Ms. Fleming already stated they received a donation so the Library was ahead by $100.00.

Mrs. Sandy Zygmont, 645 South York Road stated she wanted to know how much staff time was used; she may be putting in an open records request for this information.

COUNCIL/COMMITTEE REPORTS

A. **PUBLIC WORKS** – Councilman Rich

Councilman Rich stated he had two items on his agenda for this evening; the first item was to consider the Williams Lane Engineering and Application costs for CDBG/Stimulus Project. Councilman Rich stated the costs for this are not to exceed $140,000 and this represents the estimate for design. Councilperson Reymer asked if this project was designed before. Borough Engineer Dougherty replied never, only discussed, in the 90's there was a proposal to do concept plan but it was never done. Vice President LaSorsa made a motion to approve the Williams Lane Engineering and Application costs for CDBG/Stimulus Project not to exceed $140,000. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

Councilman Rich stated the second item on his agenda was Resolution #2009-15, Dump Truck Financing. Vice President LaSorsa made a motion to approve Resolution #2009-15, Dump Truck Financing. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

B. **ZONING, PLANNING & HISTORIC PRESERVATION COMMITTEE** – Councilman Tompkins

Councilman Tompkins stated he had several items on his agenda for this evening; the first item was Stoveworks 2 Land Development Update. Councilman Tompkins stated this item would be moved to the July Committee meeting.

Councilman Tompkins stated the second item on his agenda, was the approval of the escrow release for the Victorian Village Traffic Light. Borough Engineer Dougherty recommends the escrow amount be reduced by up to $45,790.00 for construction items being held in escrow. Vice President LaSorsa made a motion to approve the reduction of escrow up to $45,790.00. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

Councilman Tompkins stated the third item on his agenda, consider fee waiver request Union Library of Hatborough Zoning Review Letter $100.00. Councilperson Reymer made a motion to waive the $100.00 fee for the Zoning letter for the Union Library of Hatborough. Councilperson Guenst attempted to second the motion, however was advised by President Zygmont that she could not second the motion, as she is an officer of the Library. President Zygmont asked for a second, no one would second the motion. President Zygmont announced the motion dies lack of a 2ND.

Councilman Tompkins stated the last item on his agenda; consider recommendation to ZHB for the Fire House Addition. Councilman Tompkins stated Zoning Officer Keith Fugate would be in attendance at the meeting and could convey that Council is in favor of the application. Councilperson Reymer stated in the past Council did not send anyone and let the ZHB make the decision. Vice President LaSorsa made a motion to send Zoning Officer Fugate to the ZHB meeting on July 1st, 2009 and convey that Council is in favor of the Enterprise Fire Company of Hatboro Zoning Application. This motion was seconded by Councilman Tompkins with Councilpersons Reymer and Guenst opposing and Councilpersons Rich, Tompkins,

LaSorsa and Zygmont voting in favor. President Zygmont states the motion passes in favor of sending Zoning Officer Fugate to the July 1st, 2009 ZHB meeting.

C. ADMINISTRATION & CONTRACTS COMMITTEE – President Zygmont

President Zygmont stated he had several items for his agenda this evening; the first item to consider change order #1 in the amount of $59.95 for the commuter lot project. Vice President LaSorsa made a motion to approve change order #1,Bray Brothers in the amount of $59.95 for the commuter lot project. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

President Zygmont stated the second item on his agenda was to consider change order #2 in the amount of $16,438.44 for the commuter lot project. Vice President LaSorsa made a motion to approve change order #2, Bray Brothers in the amount of $16,438.44 for the commuter lot project. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

President Zygmont stated the third item on his agenda was to consider change order #3 in the amount of $2,074.10 for the commuter lot project. Vice President LaSorsa made a motion to approve change order #3, Bray Brothers in the amount of $2,074.10 for the commuter lot project. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

President Zygmont stated the next item on his agenda was to consider approval of the employee ratification list for the month of June 2009. Councilperson Guenst stated there was numerous corrections needed which the Borough Manager made. Councilperson Guenst made a motion to approve the June 2009 Employee Ratification list. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

President Zygmont stated the next item on his agenda was the Pennvest Stormwater Grant Application Resolution, Number #2009-16. Councilperson Guenst made a motion to approve Resolution Number #2009-16. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

President Zygmont stated the next item on his agenda was the approval of a new telephone system for Administration at a cost of $12,502.00. Vice President LaSorsa made a motion to approve the new phone system at Borough Hall in the amount of $12,502.00. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

President Zygmont stated the next item on his agenda was to consider the copier proposal for Administration, Police and Public Works. Vice President LaSorsa made a motion to approve the copier proposal for new copiers in Administration, Police and Public Works. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

President Zygmont stated the next item on his agenda was to consider the Intergovernmental Cooperation Agreement for Legal Representation, Phase 1. Vice President LaSorsa made a motion to approve the Intergovernmental Cooperation

Agreement for Legal Representation for Phase 1. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

President Zygmont stated the next item on his agenda was to consider the Intergovernmental Cooperation Resolution #2009-17, Legal Representation for Stormwater Issues – Phase 1. Vice President LaSorsa made a motion to approve Resolution #2009-17, Legal Representation for Stormwater issues, Phase 1. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

President Zygmont stated the last item on his agenda was to consider approval for Professional Services for Daren Miller. There was a discussion amongst the members over Daren's proposal for professional services as submitted by Daren Miller. This motion was seconded by Councilman Tompkins and a vote was taken, Councilperson's Rich, Tompkins LaSorsa and Zygmont voting in favor and Councilperson's Reymer, Guenst and Ostrander voting nay. The motion carried and was approved by a vote of 4 yes to 3 no.

FINANCE, BUDGET AND INSURANCE COMMITTEE – Vice President LaSorsa (Chair)

Vice President LaSorsa stated he had one item on his agenda for this evening, to update Council on the Economic and Redevelopment Subcommittee status. Vice President LaSorsa stated Borough Hall is currently accepting letters of interest for this committee. Vice President LaSorsa distributed to Council in their packets an objectives and recommendations memo.

OLD BUSINESS

There was no old business to come before Council this evening.

NEW BUSINESS

There was no new business to come before Council this evening.

PRIVILEGE OF THE FLOOR

Fire Company President Chris Gowen thanked Assistant Manager/ Planner for all his help over the past months with the Fire Company Grant Application.

Mrs. Phillips asked Council to make sure the correct wording was used for Mr. Miller's professional services contract. Borough Manager/Chief Gardner stated it would be done correctly.

Mrs. Sandy Zygmont stated Mr. Miller was paid $1700.00 to prepare Financials, the Borough Authority Treasurer refused free help.

ADJOURNMENT

President Zygmont adjourned the June 22nd, 2009 Council meeting at 8:08 P.M.

Respectfully submitted,

Diane C. Hegele

Diane C. Hegele
Assistant Borough Secretary
Open Records Officer

BOROUGH OF HATBORO
COUNCIL MEETING
MONDAY, JULY 27th, 2009

PRESENT
President Zygmont, Vice President LaSorsa, Councilpersons Ostrander, Guenst, Reymer & Rich, Mayor Hawkes, Borough Manager/Chief Gardner, Assistant Secretary Hegele, Superintendent Thomas, Building Code Official/Zoning Officer Fugate, Borough Engineer Dougherty, & Borough Solicitor Pionzio.

ABSENT
Councilman Tompkins & Treasurer Lutz were absent this evening.

CALL TO ORDER
President Zygmont called the July meeting of the Council of the Borough of Hatboro to order at 7:00 P.M.

INVOCATION
Mayor Hawkes gave the invocation for the July meeting of Council.

MINUTES
President Zygmont stated Council is in receipt of the June 22nd, 2009 Council Meeting Minutes. Vice President LaSorsa made a motion to approve the June 22nd, 2009 Council Meeting Minutes. Councilperson Guenst stated she wanted the minutes to reflect her comments concerning the vote on use of Daren Miller for professional services. Councilperson Guenst stated she felt there was a conflict of interest with Daren Miller. Councilperson Guenst stated she wanted noted in the record how much Mr. Miller was being paid and how many hours of work. Mr. Miller is being paid an hourly rate of $50.00 per hour and was approved for 100 hours. President Zygmont asked Solicitor Pionzio about a statement of conflict of interest and if there would have to be proof to make that kind of statement. Solicitor Pionzio stated that Ms. Guenst is entitled to her opinion one way or another, if someone wanted to challenge that then they could. President Zygmont stated he was challenging Councilperson Guenst statement. Solicitor Pionzio stated he was certainly able to do that. Solicitor Pionzio stated that Councilperson Guenst was entitled to her opinion, as was President Zygmont was entitled to his opinion. Councilperson Guenst stated this would be included in the minutes. Councilperson Ostrander stated she would not be voting since she was not at the meeting. This motion was seconded by Councilman Rich approving the June 22nd, 2009 Council Meeting Minutes as amended with Councilperson Ostrander abstaining because she was not present at the June 22nd, 2009 meeting.

PRESIDENT'S REPORT
President Zygmont stated he had nothing to report tonight.

BOROUGH MANAGER/CHIEF OF POLICE REPORT

Borough Manager/Chief of Police stated he had several items to report; the light at County Line and York Road is scheduled to go live between the hours of 3:00 AM to 7:00 AM Tuesday, July 28th.

Borough Manager/Chief Gardner thanked everyone involved for their work at the car show Saturday night, while there may not have been a lot of cars; the crowd was large.

Borough Manager/Chief Gardner stated that recently the Borough was notified there are 6 streets missing from the Borough Liquid Fuels allocation. Borough Manager/Chief Gardner is working on getting them added, which will increase revenue and needs to be done by ordinance. Borough Manager/Chief Gardner stated Assistant Secretary Hegele is working with Penndot and was able to secure an extension from the 9-1-09 deadline to 10-1-09.

MAYOR'S REPORT

Mayor Hawkes thanked everyone for the great job with the Car Show; it was outstanding this year. Mayor Hawkes stated that thanks to the group Mayors Against Illegal Guns taking out full-page ads in the Inquirer the bill was defeated. Mayor Hawkes stated recently that there was a meeting with State Representative Murt's office to discuss dangerous intersections involving state highways, discussed was Penn/Montgomery, York/Summit (the Northern Gateway), the pedestrian crossing at York/Williams and York/Byberry. Mayor Hawkes stated the signage issue at York/Byberry has been resolved. Mayor Hawkes also stated research is currently being done on the Quiet Zone request recently received. Mayor Hawkes reported that the School Lane traffic light is operational. Borough Engineer Dougherty stated there were some minor issues that will be repaired by tomorrow. President Zygmont stated the light is stated of the art, and this light will be the same type of light used in town as part of the resignalization project.

TREASURERS REPORT

1. **CASH BALANCES & INVESTMENT INCOME REPORT**
   Vice President LaSorsa gave the monthly treasurers report in Treasurer Lutz's absence. Vice President LaSorsa stated the interest earned in July 2009 was $2601.97. This was for all 14 accounts at TD Banknorth at a rate of 0.595%. Total account balance is $4,846,029.37. Councilperson Ostrander made a motion to approve the Treasurer's report for the month of June 2009. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

2. **APPROVAL OF WARRANTS LIST**
   President Zygmont stated Council is in receipt of the warrant list and manual checklist. President Zygmont stated Council has had the opportunity in advance to review the warrant list and direct any questions to the Chief or Department Head. Vice President LaSorsa made a motion to approve the warrant list for the month of July 2009. This motion was seconded by Councilman Rich and approved by Council unanimously.

3. **PAYMENT OF BILLS**

Vice President LaSorsa made a motion to authorize the payment of bills and ratification of transfers for the month of July 2009. Councilperson Guenst stated she had a question about the Solicitors billing, she stated we are almost close to 80% of what was budgeted. Councilperson Guenst also requested a breakdown of the $1000.00 Right to Know billing which she would like to review. Councilperson also stated that there are 11.5 hours on the general bill of items that Christian does not need to review. Borough Manager/Chief Gardner stated that this was already handled, past practice in the office was the solicitor received the same packet information as Council, Assistant Secretary Hegele is already making sure that only certain information goes into Solicitor Pionzio packet. Borough Manager/Chief Gardner stated he already took action on this matter. President Zygmont stated the YTD $15,000 in Engineering needs to be reclassified, several projects are included in general engineering services that have to be reclassified to Capital Funds, which the staff is already working on correcting. Vice President LaSorsa stated he had concerns too with the YTD numbers and he like John has spoke with Borough Manager/Chief Gardner and Assistant Secretary Hegele. This motion was seconded by Councilman Rich and approved by Council unanimously.

SOLICITORS REPORT

Solicitor Pionzio reported that the Jacksonville Road Meters Ordinance would need action by Council tonight to authorize the advertising. Vice President LaSorsa made a motion to approve advertisement of this Ordinance. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

SUPERINTENDENTS REPORT

President Zygmont stated the Public Works report was submitted in advance and copies of the report were available on the table in the front of the meeting report. Superintendent Thomas stated he had nothing additional to report.

FIRE MARSHALS REPORT

President Zygmont stated the Fire Marshals report was submitted in advance and copies of the report were available on the table in the front of the meeting room.

PRIVILEGE OF THE FLOOR

President Zygmont stated this privilege of the floor is for residents to address Council to discuss voting items on tonight's agenda. Mr. Bill George, President Greater Hatboro Chamber of Commerce thanked the Borough and everyone involved for his or her assistance with the Car Show. Mr. George stated on the agenda this evening for approval was an event request for the Hatboro Haunts to be held in October. Mr. George stated this is a nice addition to Hatboro and like the car show helps to fund other events, like the Holiday Parade. Mr. George on Saturday at the Car Show the Chamber distributed 2500 cards promoting the Hatboro Haunts.

COUNCIL/COMMITTEE REPORTS

A. **ZONING, PLANNING & HISTORIC PRESERVATION COMMITTEE** – Councilman Tompkins

President Zygmont stated the first item on the agenda was to approve Escrow Release #3 for Stoveworks in the amount of $174,494.00. Vice President LaSorsa made a motion to approve the escrow release. This motion was seconded by Councilman Rich and approved by Council unanimously.

President Zygmont stated the second item on the agenda was to approve Resolution #2009-18, Stoveworks Conditional Preliminary Plan Approval. Vice President LaSorsa made a motion to approve Resolution #2009-18. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

B. **ADMINISTRATION & CONTRACTS COMMITTEE** – President Zygmont

President Zygmont stated the first item on the agenda was approval of Payment Request to Bray Brothers for the Commuter Lot Project in the amount of $158,267.16. Vice President LaSorsa made a motion to approve the payment to Bray Brothers for the commuter lot. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

President Zygmont stated the second item on the agenda was approval for change order #4 for commuter lot to Bray Brothers in the amount of $4,292.06. Councilperson Guenst made a motion to approve the change order #4 to Bray Brothers for the commuter lot. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

President Zygmont stated the third item on the agenda was approval of the July employee ratification list. Councilperson Guenst made a motion to approve the ratification list for July. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

President Zygmont stated the last item on the agenda was approval of Change order #1 for the Park Avenue Stormwater CDBG Project. Borough Engineer Dougherty stated that he did not have all the numbers but a water line was not where it was thought to be and was not marked correctly during the PA One Call process. The contractor had to re-route the line causing extra work. Borough Engineer Dougherty stated Aqua did replace two water mains at their cost because of this. Vice President LaSorsa made a motion to approve the change order for the Park Avenue CDBG Stormwater project. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

C. **PARKS AND RECREATION COMMITTEE** – Councilperson Guenst (Chair) & LaSorsa

The first item on the agenda was approval of the Event Request Form for Hatboro Haunts. Vice President LaSorsa made a motion to approve the Hatboro Haunts Event Request Form. This motion was seconded by Councilperson Reymer and approved by Council unanimously.

The second item on the agenda was the approval of the Fee Waiver request for the Hatboro Haunts. Vice President LaSorsa made a motion to approve the fee waiver for Hatboro Haunts. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

The last item on the agenda was the approval to purchase furniture and safety equipment for the pool. Vice President LaSorsa made a motion to approve the purchase of safety equipment in the amount of $1027.00. The remaining balance for proceeds from the Spring Festival will be used to purchase chairs and chaise lounges. This motion was seconded by Councilperson Reymer and approved by Council unanimously.

OLD BUSINESS

President Zygmont asked Borough Manager/Chief Gardner to update Council on the Pennvest Project. Borough Manager/Chief Gardner stated that he was recently notified that the project was denied to all municipalities involved. Borough Manager/Chief Gardner contacted the Managers from Upper Moreland and Horsham who received the same information. Councilperson Guenst stated a lot of expense was put into this. Borough Manager/Chief Gardner stated PEC is upset, they put a lot of work into this project. President Zygmont stated PEC did the design and build portion but Pennvest does not accept this. President Zygmont stated this was short notice, having our lawyers and engineers jumping through hoops to get something together. Borough Manager/Chief Gardner stated that the Upper Moreland Township Manager did not return his call; however Mr. Mike McGee from Horsham Township did and stated that while storm water is a priority in Horsham, and speaking for himself (not on behalf of Council) he believed this particular project is dead. The consensus of Council was that no one would like to see more fees on this program, too much money already lost.

There was no other old business to come before Council this evening.

NEW BUSINESS

Councilperson Ostrander thanked Mayor Hawkes for updating everyone. Councilperson Ostrander stated Borough Manager/Chief Gardner sent a letter to Penndot and she will report back when there is more information.

Vice President LaSorsa thanked everyone who submitted letters of interest for the Economic Development committee. He stated he was impressed with this new committee it is made up of a group of people who are going to get things done. Councilperson Reymer stated she requested to be on this committee. Vice President LaSorsa stated other members of Council requested this committee prior. Vice President LaSorsa stated meetings for this committee would have to be advertised if there were more than 3 Councilpersons in attendance. Councilperson Ostrander stated Councilperson Reymer did ask and she is a member of Public Relations and Finance. Vice President LaSorsa stated others asked first. Vice President LaSorsa stated he chooses a group of results oriented individuals and the committee is people he chose.

Councilperson Ostrander stated in May she along with other members of Council received an email from the President of Council regarding a meeting being held in Horsham regarding the base and Bill 111. Councilperson Ostrander stated the email asked for a vote. Councilperson Ostrander stated she did not respond to the email because she was in fear of breaking the sunshine law. President Zygmont stated he simply sent out an email asking if anyone would like to attend a meeting. President Zygmont stated that he got the email from Bill Whiteside and he had 48 hours to get an answer so he shot out an email, he was not looking for a vote. President Zygmont stated Council did not send anyone and he did not pursue the matter any further when Councilperson Ostrander voiced her concern over the Sunshine Law. Vice President LaSorsa stated he attended on his own as a resident, at no direction of Council and he did not say anything. Councilperson Ostrander stated that other members of Council did respond to the email. President Zygmont referred to Solicitor Pionzio who stated she would like to see the documents in order to give a well-reasoned opinion. Solicitor Pionzio stated that in the future the Manager could poll the group by doing it in piece meal to get an answer. Solicitor Pionzio stated she would rather review. President Zygmont stated he did not feel this was a sunshine law violation, maybe it was more ignorance and he will accept that. Councilperson Ostrander stated the documents stated the record indicates the Borough was in support therefore there was a vote to support. Vice President LaSorsa stated Bill Whiteside was inferring the Borough was in support. President Zygmont stated he called Mr. Whiteside and told him that no one from the Borough would go, this is just accusations that are just not true and he does not understand why this is coming up and being made an issue. Vice President LaSorsa stated he did not even speak at the meeting. Solicitor Pionzio stated she will review, but this is probably Mr. Whiteside's perception only, not conclusive.

Mrs. Sandy Zygmont, 645 South York Road asked "what would you be saying if President Zygmont decided not to tell everyone?", she stated members of Council grown that they do not get information. President Zygmont stated he agrees with Mrs. Zygmont. He stated that when he finds out something and doesn't tell everyone you say you are not getting information. Now when you told something, you have an issue with that. He stated that Councilperson Ostrander is just grandstanding.

PRIVILEGE OF THE FLOOR

Mr. Ed Henry, Bonair Avenue asked if there were any updates from the DEP on the Raymark Property. Borough Manager/Chief Gardner stated he updated Council last month. He spoke with Sharon Fang, still awaiting answer from legal department for SEPTA with regards to access to the property for testing.

Mr. Battis, 320 W. Moreland Avenue asked if the pool fence has been paid for. Borough Manager/Chief Gardner stated yes, it was on the warrant list for this evening. Mr. Battis asked if money was deducted for the gate key issue for the back fence. Borough Manager/Chief Gardner stated that he held the final payment until the maintenance bond and punch list was done, he was now comfortable with releasing the final payment. The issue Mr. Battis was referring was not a part of the original contract, but will be corrected.

Councilperson Reymer requested an executive session for this evening. President Zygmont stated that it was not her prerogative and this request should have been made earlier, not at the meeting. Councilperson Guenst stated she could not stay either. If she had advance notice she could have stayed. President Zygmont stated there would not be an executive session tonight.

ADJOURNMENT

President Zygmont adjourned the July 27th, 2009 Council meeting at 8:00 P.M.

Respectfully submitted,

Diane C. Hegele

Diane C. Hegele
Assistant Borough Secretary
Open Records Officer

BOROUGH OF HATBORO
COMMITTEE/COUNCIL MEETING
MONDAY, AUGUST 10th, 2009

PRESENT

President Zygmont, Vice President LaSorsa, Councilpersons Guenst, Tompkins, Ostrander, Reymer & Rich, Mayor Hawkes, Borough Manager/Chief Gardner, Assistant Secretary Hegele, Superintendent Thomas, Building Code Official/Zoning Officer Fugate, Fire Marshal Stauch, Borough Engineer Dougherty, & Borough Solicitor Pionzio.

ABSENT

Treasurer Lutz was absent this evening.

CALL TO ORDER

President Zygmont called the August Committee and Council meeting of the Borough of Hatboro to order at 7:05 P.M.

Councilpersons Reymer and Ostrander announced they were tape recording the meeting.

Mrs. Leeann Jorett, 501 North York Road questioned the use of tape recorders and taping the meeting by Councilperson Ostrander and Reymer, Mrs. Jorett expressed her concern with the use of the tape for snippets on you tube. Solicitor Pionzio stated that anyone could tape the meeting.

President Zygmont announced that there was an executive session held on Friday, August 7th, to discuss the police contract negotiations.

President Zygmont announced that there was an executive session held just prior to this meeting to discuss two legal matters: an open records issue and a development issue.

INVOCATION

Mayor Hawkes gave the invocation for the August meeting of Borough Council.

MINUTES

President Zygmont stated that there would be no approval of minutes this evening.

PRESIDENT'S REPORT

President Zygmont stated he had nothing to report tonight.

BOROUGH MANAGER/CHIEF OF POLICE REPORT

Borough Manager/Chief of Police stated he has approved a request from the Pool Parents to hold a Flea Market on September 26th, 2099 from 8:00 AM to 2:00 PM at the Hatboro Pool, in the parking lot.

TREASURERS REPORT

1. **CASH BALANCES & INVESTMENT INCOME REPORT**
   Vice President LaSorsa gave the monthly treasurers report in Treasurer Lutz's absence. Vice President LaSorsa stated the interest earned in July 2009 was $2601.97. This was for all 14 accounts at TD Banknorth at a rate of 0.595%. Total account balance is $4,846,029.37. Councilperson Guenst made a motion to approve the Treasurer's report for the month of July 2009. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

2. **APPROVAL OF WARRANTS LIST**
   President Zygmont stated Council is in receipt of the warrant list and manual checklist. President Zygmont stated Council has had the opportunity in advance to review the warrant list and direct any questions to the Chief or Department Head. Vice President LaSorsa made a motion to approve the warrant list for the month of August 2009. Councilperson Reymer stated Mr. Miller has charged the Borough 32 hours and she would like to know the status of the document. President Zygmont stated it is still in the process. Councilman Tompkins asked if questions could be sent via email ahead of the meeting in an effort to be prepared to have the information/answers. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

   President Zygmont stated a roll call of vote will be taken if he does not get a yeah or nay from Council.

3. **PAYMENT OF BILLS**
   Vice President LaSorsa made a motion to authorize the payment of bills and ratification of transfers for the month of August 2009. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

MAYOR'S REPORT

Mayor Hawkes stated he had no report this evening.

SOLICITORS REPORT

Solicitor Pionzio stated she had no report this evening.

SUPERINTENDENTS REPORT

Superintendent Thomas stated his report was submitted this evening, due to a computer issue at the transfer station. Superintendent Thomas thanked the Fire Company and Mr. Todd Kennedy of the Upper Moreland Hatboro Joint Sewer Authority and everyone involved in getting the pool operational again. President Zygmont thanked everyone at Public Works for an excellent job in getting the pool cleaned up and opened again.

FIRE MARSHALS REPORT

President Zygmont stated the Fire Marshals report was submitted in advance and copies of the report were available on the table in the front of the meeting room. Fire Marshal Stauch stated he had nothing further to report.

President Zygmont stated the Council Meeting would be recessed and the Committee Meeting would be opened. Vice President LaSorsa made a motion to recess the August Council Meeting and open the August Committee Meeting. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

A. **PUBLIC SAFETY COMMITTEE** – Mayor Hawkes

President Zygmont stated as it is done each month, the Fire Company Expenditure List is approved and voted on during the committee meeting. Vice President LaSorsa made a motion to approve the July 2009 Fire Company Expenditure List. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

B. **FIRE BOARD** – Vice President LaSorsa

The only item on the agenda was to update the timeline for the Enterprise Fire Company Addition Project. Vice President LaSorsa distributed a time line to Council and stated the fire company agreements and grant information would be placed in everyone's packet for the September Council Meeting.

C. **ADMINISTRATION & CONTRACTS COMMITTEE** – President Zygmont

The first item on the agenda was the Park Avenue Stormwater (CDBG) Project Payment Request #1 in the amount of $24,099.93, which per Borough Engineer Dougherty includes 10% retainage. This item was moved to the Council agenda for a vote.

The second item was the Jacksonville Road Parking Meter Ordinance No. 991, which is for new meters that are to be installed as a result of the new parking lot. This item was moved to the Council agenda for a vote.

The third item was the Earned Income Tax Commission Appointment Resolution #2009-19. There was a discussion amongst Council over the appointment. This item was moved to the Council agenda for a vote.

The fourth item was the Façade Grant Project Approval for the properties located at 229 N. York Road, 207 A& B, and 213, 215, 217, 219, 221, 223 $ 225 N. York Road, 13 E. Montgomery Avenue and 69 Byberry Avenue. This item was moved to the Council agenda for a vote.

The fifth item was the employee ratification list for the month of August 2009. This item was moved to the Council agenda for a vote.

The sixth item was the Hatboro Police Officers Contract Memorandum of Understanding. President Zygmont reviewed highlights of the contract. This item was moved to the Council agenda for a vote.

D. ZONING, PLANNING AND HISTORIC PRESERVATION COMMITTEE – Councilman Tompkins (Chair)

The first item was the Baskwill, 20 W. Montgomery Avenue project, a MPC clock waiver has been received and the project is due back before the planning commission again once revised plans are received.

The second item was the Urban, Independence Avenue project, a MPC clock waiver has been received, the planning commission has reviewed project and made recommendations, the project has some additional procedures to complete.

The third item was the 2 Home Road project, there has been no application received, only a letter indicating a change to office use.

E. PUBLIC WORKS COMMITTEE – Councilman Rich (Chair)

The first item was the 2009 Road Paving Bids, there was a discussion regarding the bids received and which roads to pave. It was decided to award the 2009 Road Paving Project Bid to Bray Brothers for the base Bid and Alternate A. This item was moved to the Council agenda for a vote.

The second item was the Single Stream Recycling Proposal. Councilman Rich prepared a report and reviewed the report and possible changes in the way the Borough disposes of recycling. After discussion it was decided that Council did not need to take action on this matter tonight.

The third item was the Williams Lane Project Update. Borough Manager/Chief Gardner stated this project is being funded by stimulus money and needs to be ready by October. There will be a meeting for residents to come out and learn more about the project and what will be involved on September 2 & 9th beginning at 7:00 PM in Borough Hall.

F. FINANCE, BUDGET AND INSURANCE COMMITTEE – Vice President LaSorsa (Chair)

The only item was the 2010 Operating Budget Preparation Update, there was a meeting with department supervisors to review budget goals, will be meeting with department supervisors on September 14th and with Borough Council at a budget workshop on November 7th to go over budget.

G. **EMERGENCY SERVICES AND PEDESTRIAN SAFETY COMMITTEE** – Councilperson Ostrander (Chair)

The first item was Emergency Management Update, Councilperson Ostrander thanked everyone for the outstanding job during recent flooding, and everyone works well together.

The second item was Pedestrian Safety Update; Councilperson Ostrander stated the new light at York & School is fully functional; this light is similar to other lights that will be installed on York Road. Councilperson Ostrander also stated the new light at York & County Line is working.

H. **PARKS AND RECREATION** – Councilperson Guenst (Chair)

There were no agenda items submitted and no public comments received. Councilperson Guenst thanked everyone for his or her efforts to get the pool operational again and the YMCA for allowing pool members to use the YMCA pool.

I. **PUBLIC AND COMMUNITY RELATIONS COMMITTEE** – Councilperson Reymer (Chair)

There were no agenda items submitted and no public comments received. Councilperson Reymer thanked everyone for his or her efforts during the recent flooding.

President Zygmont stated the Committee Meeting would be closed and the Council Meeting would be reconvened. Vice President LaSorsa made a motion to close the August Committee Meeting and reconvened the August Council Meeting. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

PRIVILEGE OF THE FLOOR (This privilege of the floor is only for comment regarding voting items on the agenda for this evening.)

There was none.

ADMINISTRATION AND CONTRACTS – President Zygmont (Chair)

Vice President LaSorsa made a motion to approve the Park Avenue Stormwater (CDBG) Project Payment Request #1 in the amount of $24,099.93. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

Vice President LaSorsa made a motion to approve Ordinance No. 991, Jacksonville Parking Meter Ordinance. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

Vice President LaSorsa made a motion to approve Resolution #2009-19, Earned Income Tax Commission Appointment Resolution. This motion was seconded by Councilperson Guenst with Vice President LaSorsa, Councilpersons Guenst, Tompkins, Rich and President Zygmont voting yes and Councilpersons Reymer and Ostrander voting no. The motion passes with a majority vote.

Vice President LaSorsa made a motion to approve the Façade Grant Project Approval for Equal Properties, DiMaggio, LaGreca and Luce. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

Vice President LaSorsa made a motion to approve the Employee Ratification List for the month of August 2009. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

Vice President LaSorsa made a motion to approve the memorandum of understanding for the Police Officer Contract for the period 2010-2014. This motion was seconded by Councilperson Ostrander with all of Council voting yes except for Councilperson Reymer who abstained from the vote. Councilperson Reymer abstained from vote because brother in law is a member of the Police Department and to avoid any perceived conflict of interest in this matter. Councilperson Reymer also stated that she was not involved in negotiations of this contract nor did she attend the executive session on August 7th where this matter was discussed. Councilperson Reymer will submit something in writing stating this to Assistant Secretary Hegele.

PUBLIC WORKS – Councilman Rich (Chair)

Vice President LaSorsa made a motion to approve the 2009 Road Paving Project Bid award for the Base Bid and Alternate A to Bray Brothers in the amount of $168,949.70 for base bid and $23,183.55 for Alternate A, the lowest responsible bidder. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

Councilman Rich stated the second item on his agenda Single Stream Recycling was removed, as it was a non-voting issue.

OLD BUSINESS

Councilman Tompkins stated he was in receipt of an email from PENNVEST stating they were going to try to apply again. President Zygmont stated that this was discussed at the July meeting and the consensus of Council was we were not interested. Borough Manager/Chief Gardner will contact Mindy Lemoine and pass along that Council was not interested.

President Zygmont stated he along with Council was in receipt of an announcement that there was going to be a Zoning Hearing Board Meeting in Horsham on August 11th, 2009 concerning the cell tower application at the Hatboro Little League Field.

There was no other old business to come before Council this evening.

NEW BUSINESS

President Zygmont stated he was contacted by Brad Remeg of PFM Advisors to advise that the numbers are getting better if Council would like to consider bond refinancing. President Zygmont stated that the next step would be to secure Counsel for the Bond Refinancing.

PRIVILEGE OF THE FLOOR

Mrs. Leeann Jorett asked about the celltower at the Little League Field. President Zygmont stated the field is in Horsham Township and Horsham's procedure has to be followed.

Mr. Chris Gowen, President Enterprise Fire Company stated in order for the Fire Company to acquire financing the Department of Agriculture requires that the terms of the financing be announced at a public meeting and be made part of the record. Fire Company President Gowen stated the Fire Company is requesting $450,000 at 4.75% for 40 years.

ADJOURNMENT

President Zygmont adjourned the August 10th, 2009 Committee and Council meeting at 9:00 P.M.

Respectfully submitted,

Diane C. Hegele
Assistant Borough Secretary
Open Records Officer

BOROUGH OF HATBORO
COUNCIL MEETING
MONDAY, SEPTEMBER 28th, 2009

PRESENT
President Zygmont, Vice President LaSorsa, Councilpersons Ostrander, Guenst, Reymer & Rich, Mayor Hawkes, Borough Manager/Chief Gardner, Assistant Secretary Hegele, Superintendent Thomas, Building Code Official/Zoning Officer Fugate, Assistant Fire Marshal Reading, Borough Engineer Dougherty, & Ms. Bernadette Keurney for Borough Solicitor Pionzio.

ABSENT
Councilman Tompkins, Solicitor Pionzio & Treasurer Lutz were all absent this evening.

CALL TO ORDER
President Zygmont called the September meeting of the Council of the Borough of Hatboro to order at 7:00 P.M.

President Zygmont announced there was an executive session held prior to this meeting to discuss a potential legal matter.

INVOCATION
Mayor Hawkes gave the invocation for the September meeting of Council.

MINUTES
President Zygmont stated Council is in receipt of the August 10th, 2009 Committee/ Council Meeting Minutes. Vice President LaSorsa made a motion to approve the August 10th, 2009 Committee/Council Meeting Minutes. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

PRESIDENTS REPORT
President Zygmont stated he had nothing to report tonight.

BOROUGH MANAGER/CHIEF OF POLICE REPORT
Borough Manager/Chief of Police reported the police department conducted a speed enforcement detail on North York Road at Crescent Road, twelve citations were issued for violating the 40MPH speed limit, and the average violator speed was 57.6 MPH.

Borough Manager/Chief Gardner reported there is a change order before Council tonight for the current road-paving project. The bid specification for E. Monument and Lancaster called for a seal coating. However, based on the unit costs provided on the bid documents, complete milling and paving could be done at this location for a net of plus $1,185.00. This matter is on the agenda for Council consideration.

Borough Manager/Chief Gardner reported some staff and elected officials attended a flood mitigation seminar at the Montgomery County EOC. Presenters including stated and federal government officials who spoke of various grant programs aimed at mitigating flooding. The Borough has taken advantage of these programs. Also presented was information on flood insurance that officials recommend all property owners consider.

Borough Manager/Chief Gardner reported receiving an update from Sharon Fang of the EPA on the Raymark Fund Site, advised that although test wells are on SEPTA property; they need to secure an access agreement from SEPTA for the equipment to access the wells.

Borough Manager/Chief Gardner reported he received notification within the last several days that grants for police communications equipment ($125,000) and replacement firearms (approx. $12,000) have received federal approval in the full amounts. These are separate grants and more information will follow on these issues in the coming months.

MAYORS REPORT

Mayor Hawkes reported receiving information from Allyson Schwartz's office regarding the new Washington Crossing National Cemetery located in Newtown Bucks County for veterans in the Philadelphia Area. Allyson Schwartz's office was hosting two informational sessions to provide an overview about the cemetery and answer questions. Dates and times would be posted in Borough Hall.

TREASURERS REPORT

1. **CASH BALANCES & INVESTMENT INCOME REPORT**
   Vice President LaSorsa gave the monthly treasurers report in Treasurer Lutz's absence. Vice President LaSorsa stated the interest earned in August 2009 was $2270.76. This was for all 14 accounts at TD Banknorth at a rate of 0.595%. Total account balance is $4,472,919.09. Councilperson Ostrander made a motion to approve the Treasurer's report for the month of September 2009. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

2. **APPROVAL OF WARRANTS LIST**

President Zygmont stated Council is in receipt of the warrant list and manual checklist. President Zygmont stated Council has had the opportunity in advance to review the warrant list and direct any questions to the Chief or Department Head. Vice President LaSorsa made a motion to approve the warrant list for the month of September. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

3. **PAYMENT OF BILLS**

Vice President LaSorsa made a motion to authorize the payment of bills and ratification of transfers for the month of September. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

SOLICITORS REPORT

Ms. Bernadette Kearney stated there was no report tonight.

SUPERINTENDENTS REPORT

President Zygmont stated the Public Works report was submitted in advance and copies of the report were available on the table in the front of the meeting report. Superintendent Thomas stated he had nothing additional to report.

FIRE MARSHALS REPORT

President Zygmont stated the Fire Marshals report was submitted in advance and copies of the report were available on the table in the front of the meeting room. Assistant Fire Marshal Reading reminded everyone that October was Fire Prevention Month and that if anyone was in need of a smoke detector to please contact the Fire Company or Fire Marshals office for free smoke detector. He also reminded everyone that Open House this year would be on 10-10-09 at the Enterprise Fire Company of Hatboro.

PRIVILEGE OF THE FLOOR

President Zygmont stated this privilege of the floor is for residents to address Council to discuss voting items on tonight's agenda. There was no comment.

A. **ADMINISTRATION & CONTRACTS** – President Zygmont

President Zygmont announced the first item; Payment Request 4&5 for the Commuter Lot was removed from the agenda this evening per the Borough Engineer who stated the parking meters are not in yet.

Vice President LaSorsa made a motion to approve the Miller Property Release. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

Vice President LaSorsa made a motion to approve the District Court Lease between the County of Montgomery and the Borough of Hatboro for a period of 10 years starting in 2009 through 2019. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

Vice President LaSorsa made a motion to approve using Pepper & Hamilton as Bond Finance Counsel for the refinance of the GOB. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

Vice President LaSorsa made a motion to approve Resolution #2009-20, authorizing Liquid Fuels Ordinance Advertising. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

Vice President LaSorsa made a motion to approve Ordinance No. 992, Liquid Fuels Ordinance for the addition of roads for Liquid Fuels. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

Vice President LaSorsa made a motion to approve Resolution #2009-21 for York Road Safety Enhancements at no cost to the Borough. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

B. **ZONING, PLANNING & HISTORIC PRESERVATION** – Councilman Tompkins

Vice President LaSorsa made a motion to approve Resolution #2009-22, 2 Home Road Waiver request. This motion was seconded by Councilperson Reymer and approved by Council unanimously.

Vice President LaSorsa made a motion to approve Escrow Release #4, for the Stoveworks Project in the amount of $109,485.00. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

C. **PUBLIC WORKS** – Councilman Rich

Vice President LaSorsa made a motion to approve Change order #1 for the Hatboro Road Improvements Program for East Monument Avenue. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

D. **PUBLIC & COMMUNITY RELATIONS** – Councilperson Reymer

Councilperson Ostrander made a motion to approve the Tanne Walkway Project Proposal. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

Councilperson Reymer made a motion to approved the Elm Street Gateway Signage Proposal. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

OLD BUSINESS

Borough Manager/Chief Gardner reported that the 2004 Bond Refinancing is progressing. There is a lot of work involved in this process and the work involves staff time and has to be done in a timely fashion.

Mr. Daren Miller presented Council with a status report of grants and applications. He reviewed with Council each item. He also included a listing of vacant commercial properties in the Borough.

There was no other old business to come before Council this evening.

NEW BUSINESS

Vice President LaSorsa reviewed with Council the Fire Company Operating Budget for 2010. Fire Chief Zollers and President Gowan reviewed with Council some of the budget. Vice President LaSorsa stated there is no increase in 2010 and the debt service would be remaining the same.

There was no other new business to come before Council this evening.

PRIVILEGE OF THE FLOOR

Mr. Scott Randolph of Arrival Videos addressed Council regarding the upcoming premier of the Battle of Crooked Billet. Mr. Randolph passed out invitations to Council asking everyone to come out on October 22nd to Valley Forge for the presentation. He stated this is an invitation only event; he was working with the Hatboro Horsham Educational Foundation to host this event locally and open to the public. Mr. Randolph also asked Council to get involved in the upcoming 300-year celebration of the Borough, as this was an important event. Mr. Randolph also asked Council if they could consider a Historic Preservation Ordinance to protect and preserve the Borough's history. Mr. Randolph was advised that Councilman Tompkins chairs a committee that is assigned to working on this.

ADJOURNMENT

President Zygmont adjourned the September 28th, 2009 Council meeting at 7:48 P.M.

Respectfully submitted,

Diane C. Hegele

Diane C. Hegele
Assistant Borough Secretary
Open Records Officer

BOROUGH OF HATBORO
COUNCIL MEETING
MONDAY, OCTOBE 26th, 2009

PRESENT
President Zygmont, Vice President LaSorsa, Councilpersons Guenst, Tompkins, Ostrander, Reymer & Rich, Mayor Hawkes, Borough Manager/Chief Gardner, Assistant Secretary Hegele, Superintendent Thomas, Building Code Official/Zoning Officer Fugate, Borough Solicitor Pionzio, & Borough Engineer Dougherty.

ABSENT
Treasurer Lutz was absent this evening.

CALL TO ORDER
President Zygmont called the October meeting of the Council of the Borough of Hatboro to order at 7:00 P.M.

INVOCATION
Mayor Hawkes gave the invocation for the October meeting of Council.

Councilman Tompkins stated the meeting was being recorded without announcement. Councilperson Reymer stated she was recording the meeting and asked if Assistant Secretary Hegele was recording the meeting.

President Zygmont announced that some items on the agenda would be done out of order this evening.

MINUTES
Vice President LaSorsa made a motion to approve the September 14th, 2009 Special Council Meeting Minutes. Councilperson Ostrander stated a change was needed on page #2, it should read "Lead from County." This motion was seconded by Councilperson Guenst and approved by Council unanimously.

Vice President LaSorsa made a motion to approve the September 28th, 2009 Council Meeting Minutes. This motion was seconded by Councilperson Guenst and approved by Council with Councilman Tompkins abstaining from voting, as he was not in attendance at the September 28th, 2009 Council meeting. Councilman Tompkins will submit a letter in writing to Assistant Secretary Hegele.

PRESIDENTS REPORT

President Zygmont reported he is in receipt of a request from Meals on Wheels for consideration for funding in the upcoming 2010 Operating Budget. President Zygmont gave the request to Vice President LaSorsa for the budget workshop.

President Zygmont reported he received a letter from the Attorney Generals Office of the upcoming audit of the Uniformed and Non-uniformed Pension Plans.

BOND REFINANCE PRESENTATION

Mr. Zach Williard from the PFM Group was in attendance and presented Council with information concerning the parameters of a Bond Sale. Mr. Williard advised Council that Standard & Poor's rating services assigned its AA- rating, which is great. Ms. Liz Preate Havey, Esquire from Pepper Hamilton Bond Counsel for the Borough was also in attendance and reviewed with Council the Ordinance that is on the agenda for adoption this evening. Ms. Havey thanked the Borough Manager and President of Council for their work during a recent bond refinance evaluation call, stating they did a great job at selling the Borough. Borough Manager/Chief Gardner thanked President Zygmont and Bookkeeper Colleen Cannon for their assistance during this call.

BOROUGH MANAGER/CHIEF OF POLICE REPORT

Borough Manager/Chief of Police reported on Saturday October 30th is the Skeleton Skurry beginning at 9:30 AM. There will be some road closures and detours for a short period of time. Fire Police will be present to assist.

Borough Manager/Chief Gardner reported there was an unplanned event when the Phillies won the NLCS last week. If they win the World Series there will not be an unplanned event, it will be planned, as last year. Go Phillies

TREASURERS REPORT

1. **CASH BALANCES & INVESTMENT INCOME REPORT**
   Vice President LaSorsa gave the monthly treasurers report in Treasurer Lutz's absence. Vice President LaSorsa stated the interest earned in September 2009 was $2,601.97. This was for all 14 accounts at TD Banknorth at a rate of .595%. Total account balance is $4,320,683.09. Councilperson Ostrander made a motion to approve the Treasurer's report for the month of October 2009. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

2. **APPROVAL OF WARRANTS LIST**

President Zygmont stated Council is in receipt of the warrant list and manual checklist. President Zygmont stated Council has had the opportunity in advance to review the warrant list and direct any questions to the Chief or Department Head. Councilman Tompkins stated there were some questions earlier today in an email that was not copied to all of Council and should have been. President Zygmont stated all of Council should be copied on these types of questions so the efforts are not duplicated. Vice President LaSorsa made a motion to approve the warrant list for the month of October. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

3. **PAYMENT OF BILLS**

Vice President LaSorsa made a motion to authorize the payment of bills and ratification of transfers for the month of October. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

MAYORS REPORT

Mayor Hawkes reported the Montgomery County drill held on October 18th, 2009 went well; it was scaled down due to the weather. The drill was mainly a Fire Company and EMS drill; there was an evacuation center at Keith Valley Middle School and also a pet shelter at Keith Valley.

SOLICITORS REPORT

Solicitor Pionzio stated she had nothing to report tonight.

PRIVILEGE OF THE FLOOR

President Zygmont stated this privilege of the floor is for residents to address Council to discuss voting items on tonight's agenda. Mr. Ed Henry, Bonair Avenue stated he wanted to thank Borough Council for all their efforts in saving the Borough $60,000 during the bond refinance process.

ADMINISTRATION & CONTRACTS – President Zygmont

President Zygmont asked for a motion to approve the GOB Bond Refinance Ordinance. Vice President LaSorsa made a motion to approve Ordinance No. 993, 2009 General Obligation Bond/2004 GOB Refinance. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

Councilperson Tompkins made a motion to authorize President Zygmont, Vice President LaSorsa, Borough Manager/Chief Gardner and Assistant Secretary Hegele to sign documents relating to the GOB refinance. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

DEPARTMENT SUPERVISOR'S REPORT

SUPERINTENDENTS REPORT

President Zygmont stated the Public Works report was submitted in advance and copies of the report were available on the table in the front of the meeting report. Superintendent Thomas stated he had nothing additional to report.

FIRE MARSHALS REPORT

President Zygmont stated the Fire Marshals report was submitted in advance and copies of the report were available on the table in the front of the meeting room. Deputy Fire Marshal Thomas stated he had nothing additional to report.

CODE ENFORCEMENT REPORT

President Zygmont stated the Code Officials report was submitted in advance and copies of the report were available on the table in the front of the meeting room. BCO Fugate stated he had nothing additional to report.

A. ADMINISTRATION & CONTRACTS – President Zygmont

Vice President LaSorsa made a motion to approve Resolution #2009-23, authorization to advertise bids for the Williams Lane Project. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

Councilperson Guenst made a motion to approve the authorization of President Zygmont and Borough Manager/Chief Gardner to execute the Police Communications Grant Agreement. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

Vice President LaSorsa made a motion to approve Resolution #2009-24, Penndot Electronic Access Agreement. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

Vice President LaSorsa made a motion to approve the Employee Ratification List for the month of October 2009. This motion was seconded by Councilperson Reymer and approved by Council unanimously.

Vice President LaSorsa made a motion to approve the authorization to execute IRS paperwork for the Enterprise Fire Company Fire Truck Purchase. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

B. FINANCE, BUDGET & INSURANCE – Vice President LaSorsa

Councilman Tompkins made a motion to approve Resolution #2009-25, Main Street Consultant Resolution. This motion was seconded by Councilman Rich and approved by Council unanimously.

C. **FIRE BOARD** – Vice President LaSorsa

President Zygmont reviewed the list of Enterprise Fire Company Agreements to be approved tonight. The agreements are the Cooperation Agreement, Indemnity and Release Agreement, Revolving Line of Credit Note, Open End Mortgage, Security Agreement and Fixture Filing and Agreement to Transfer Funds. Councilman Tompkins made a motion to approve the Enterprise Fire Company Agreements as listed above. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

D. **ZONING, PLANNING & HISTORIC PRESERVATION** – Councilman Tompkins

There were no agenda items for tonight's meeting.

E. **PUBLIC WORKS** – Councilman Rich

There were no agenda items for tonight's meeting.

F. **PUBLIC & COMMUNITY RELATIONS** – Councilperson Reymer

There were no agenda items for tonight's meeting.

G. **PARKS & RECREATION** – Councilperson Guenst

There were no agenda items for tonight's meeting.

H. **EMERGENCY SERVICES & PEDESTRIAN SAFETY** – Councilperson Ostrander

There were no agenda items for tonight's meeting.

OLD BUSINESS

There was no old business to come before Council this evening.

NEW BUSINESS

Councilperson Ostrander stated the Mayor reported on the drill, but she wanted to thank everyone who participated.

Vice President LaSorsa stated that the Homestead Act would be discussed during the upcoming budget process and he asked everyone to become familiar with this act. Vice President LaSorsa stated information would be distributed and he is trying to do something but could make no promises.

PRIVILEGE OF THE FLOOR

Mr. Farnen, Elm Street President distributed photos of the new Tanner Park walkway. He stated this project was approved 4 weeks ago and he wanted Council to see how much it has progressed. Photos were left at Borough Hall for all to see.

ADJOURNMENT

President Zygmont adjourned the October 26th, 2009 Council meeting at 7:30 P.M.

Respectfully submitted,

Diane C. Hegele

Diane C. Hegele
Assistant Borough Secretary
Open Records Officer

BOROUGH OF HATBORO
COUNCIL MEETING
MONDAY, NOVEMBER 23rd, 2009

PRESENT
President Zygmont, Vice President LaSorsa, Councilpersons Guenst, Tompkins, Reymer & Rich, Mayor Hawkes, Borough Manager/Chief Gardner, Assistant Secretary Hegele, Superintendent Thomas, Building Code Official/Zoning Officer Fugate, Borough Solicitor Pionzio, & Borough Engineer Dougherty.

ABSENT
Councilperson Ostrander and Treasurer Lutz were absent this evening.

CALL TO ORDER
President Zygmont called the November meeting of the Council of the Borough of Hatboro to order at 7:00 P.M.

INVOCATION
Mayor Hawkes gave the invocation for the November meeting of Council.

EXECUTIVE SESSION
President Zygmont announced that there was an executive session on November 16th, November 18th and again tomorrow November 24th; all were to interview candidates for the Planner/Assistant to the Borough Manager position.

MINUTES
Vice President LaSorsa made a motion to approve the June 22nd, 2009 Council Meeting Minutes. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

Vice President LaSorsa made a motion to approve the July 27th, 2009 Council Meeting Minutes. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

Vice President LaSorsa made a motion to approve the October 26th, 2009 Council Meeting Minutes. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

PRESIDENTS REPORT
President Zygmont reported Council is in receipt of the Financial Statements for the year ending 12-31-2008.

TREASURERS REPORT

1. **CASH BALANCES & INVESTMENT INCOME REPORT**
   Vice President LaSorsa gave the monthly treasurers report in Treasurer Lutz's absence. Vice President LaSorsa stated the interest earned in October 2009 was $1,725.78. This was for all 14 accounts at TD Banknorth at a rate of 0.52%. Total account balance is $3,746,497.15. Councilperson Guenst made a motion to approve the Treasurer's report for the month of October 2009. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

2. **APPROVAL OF WARRANTS LIST**
   President Zygmont stated Council is in receipt of the warrant list and manual checklist. President Zygmont stated Council has had the opportunity in advance to review the warrant list and direct any questions to the Chief or Department Head. Vice President LaSorsa made a motion to approve the warrant list for the month of November. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

3. **PAYMENT OF BILLS**
   Vice President LaSorsa made a motion to authorize the payment of bills and ratification of transfers for the month of November. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

MAYORS REPORT

Mayor Hawkes reported Boy Scout Troop 3 of Hatboro is celebrating their 60th Anniversary on Saturday, November 28th and he will be attending and presenting a proclamation on behalf of Borough the Hatboro.

BOROUGH MANAGER/CHIEF OF POLICE REPORT

Borough Manager/Chief of Police reported the road paving program is progressing, Harding Avenue is scheduled to be paved this week.

Borough Manager/Chief Gardner thanked everyone involved for a successful holiday parade including the residents with their patience and cooperation with parking and traffic.

Borough Manager/Chief Gardner stated there is a Toys for Tots bin at the Police Department again this year and new this year is a Coats for Vets bin at the Police Station also. There is also a Toys for Tots bin at the Chamber office and Post office.

Borough Manager/Chief Gardner wished everyone a Happy Thanksgiving.

SOLICITORS REPORT

Solicitor Pionzio stated her office is working on the Wachovia Building, Red Flag Rule Draft, Budget Advertising and Williams Lane Easements.

DEPARTMENT SUPERVISOR'S REPORT

SUPERINTENDENTS REPORT

President Zygmont stated the Public Works report was submitted in advance and copies of the report were available on the table in the front of the meeting report. Superintendent Thomas stated he had nothing additional to report.

FIRE MARSHALS REPORT

President Zygmont stated the Fire Marshals report was submitted in advance and copies of the report were available on the table in the front of the meeting room. Deputy Fire Marshal Thomas stated he had nothing additional to report.

CODE ENFORCEMENT REPORT

President Zygmont stated the Code Officials report was submitted in advance and copies of the report were available on the table in the front of the meeting room. BCO Fugate stated Joe Reading officially has BCO certifications so he can now assist in Code Office.

PRIVILEGE OF THE FLOOR

President Zygmont stated this privilege of the floor is for residents to address Council to discuss voting items on tonight's agenda. There was no comment from the public.

VOTING AGENDA ITEMS

A. ADMINISTRATION & CONTRACTS

Vice President LaSorsa made a motion to consider Change Order Hatboro Gardens Stormwater Project. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

Vice President LaSorsa made a motion to approve Consortium Stormwater Project Phase 2 Payment. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

Councilperson Guenst made a motion to approve installation of the Pennypack Waterflow Meter. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

B. FIRE BOARD

Councilperson Guenst made a motion to approve the Fire Company Capital Expenditure List for the transfer of funds for the new fire truck. This motion was seconded by Councilperson Reymer and approved by Council unanimously.

C. ZONING, PLANNING & HISTORIC PRESERVATION

Councilman Tompkins made a motion to approve Resolution #2009-26, Wachovia Property Subdivision. This motion was seconded by Vice President LaSorsa and approved by Council unanimously.

OLD BUSINESS

Vice President LaSorsa updated Council on the timeline for the adoption of the 2010 Borough Operating Budget. There was a discussion amongst Council on the meeting dates for the month of December. It was decided by all in attendance to change the meeting dates for December; Committee to be held on Monday, December 7th, 2009 and Council to be held on Monday, December 14th, 2009. Solicitor Pionzio stated her office would handle the advertisements for the new meeting dates, budget and tax ordinance.

NEW BUSINESS

There was no new business to come before Council this evening.

PRIVILEGE OF THE FLOOR

Mr. & Mrs. Larry Phillips and Mr. & Mrs. Barr, Wood Street along with Mr. & Mrs. Barbin from Manor Road were all in attendance to discuss with Council their opposition and concerns to a recent application for a subdivision at 123 Manor Road. Mr. & Mrs. Phillips shared with Council a video from a story done by Channel 10 on the muskrat problem in their neighborhood and on their property.

ADJOURNMENT

President Zygmont adjourned the November 23rd, 2009 Council meeting at 7:37 P.M.

Respectfully submitted,

Diane C. Hegele
Assistant Borough Secretary
Open Records Officer

BOROUGH OF HATORO
SPECIAL COUNCIL MEETING
THURSDAY, DECEMBER 31st, 2009
12:00 PM

PRESENT

President Zygmont, Vice President LaSorsa, Councilpersons Tompkins, Rich & Reymer, Mayor Hawkes, Assistant Secretary Hegele, Superintendent Thomas, Sgt. VanDolsen & Borough Solicitor Pionzio

ABSENT

Councilpersons Guenst and Ostrander and Borough Manager/Chief Gardner were absent.

CALL TO ORDER

President Zygmont called the Special Council Meeting of the Council of the Borough of Hatboro to order at 12:04 PM. President Zygmont announced the meeting was being recorded by the Assistant Borough Secretary, a member of the audience and President Zygmont. President Zygmont announced that this meeting was advertised in the Intelligencer on December 30th, 2009. President Zygmont asked Assistant Secretary Hegele is all of Council was notified of this meeting. Assistant Secretary Hegele responded yes via email.

PURPOSE OF MEETING

President Zygmont read a prepared statement outlining the meeting and the purpose of the meeting was to discuss administrative matters regarding ethics concerns. President Zygmont stated that all of Council received an email last Wednesday, December 23, 2009 from Vice President LaSorsa indicating based on information received from anonymous sources he was going to investigate the financial disclosure forms of two Councilpersons for the adequacy of legal required disclosures of the financial information and complete his report by the weekend and forward to President Zygmont for a decision on how to proceed. President Zygmont stated that Vice President LaSorsa's email asked for a consensus of Borough Council on whether he should proceed on what he recommended or ignore the allegations and hope for the best. President Zygmont stated since the information was presented to him and Borough Council he had no other recourse then to schedule a special meeting to discuss the matter. President Zygmont stated he contacted all of Council and asked them not to respond, as it could be a violation of the sunshine law. President Zygmont stated the information was dropped off at his residence on December 27th and he reviewed the information on December 28th, based on the initial review of information there were several instances that warranted further review, several that did not pertain to Councilpersons and some that items did not appear to be correctly outstanding issues. President Zygmont stated on Tuesday morning, December 29th after wrestling with this and the proper course of action, he notified all of Borough Council and the Assistant Borough Secretary that there would be a special Council meeting on Thursday, December 31st at 12:00 PM. In accordance with the Borough Code President Zygmont provided all with an explanation of the purpose of the meeting, a date and a time. President Zygmont stated there was not legal exception for the meeting to be held as an Executive Session; and he felt obligated to call for a Special Meeting as provided by the Borough Code. President Zygmont stated as he has promised to all of Borough Council in response to Vice President LaSorsa's original email. President Zygmont stated this is a responsibility and privilege given to the Council President under the Borough Code. President Zygmont also stated he spent more time reviewing the information for his own account and also before anything was put out in the public arena. President Zygmont also stated that the original

information received from Vice President LaSorsa contained information of ethics statements of persons other than two Councilpersons. President Zygmont asked Vice President LaSorsa to limit the scope of his report to the original stated investigation. President Zygmont stated he prepared and copied the information for the special meeting. President Zygmont stated the purpose of the meeting was to decide what to do as Council as a whole body, when Vice President LaSorsa sent the email to all of Borough Council it became an issue of everyone on Council. President Zygmont stated this is the fairest way to all to hold this type of meeting, it balances the publics right to know, the duties of the office of Council President and the responsibilities of all of Borough Council. President Zygmont stated there is already persons finding fault with the process, regardless of what road was taken there would always be someone with issues, but he would encourage all to discuss the issue and use the time constructively. President Zygmont stated the floor would be turned over to Vice President LaSorsa to read his report, which copies of his letter were made available at the Press Table, then Borough Council would have the opportunity to provide comment. President Zygmont stated all comments would be addressed to him as President, in an orderly manner with no interruptions; everyone will be given the proper time and consideration for comment in accordance with Roberts Rules of Order. President Zygmont stated again this is a difficult situation for everyone and is hoping for a result today is a course of action, which weighs the Public's Right to Know on an issue and fairness to Borough Council. President Zygmont stated he felt a meeting was the best course of action rather than having an issue hit the street by way of a newspaper article or the never-ending rumor mill. Vice President LaSorsa than read his report and the findings which included two liens for Councilperson Ostrander and four liens for Councilperson Guenst. President Zygmont stated that at 11:30 AM this date an amended ethics statement was filed by Councilperson Ostrander listing a creditor as the IRS, the Internal Revenue Service.

BOROUGH COUNCIL COMMENTS

Councilman Rich stated that he feels the matter should be turned over to the State Ethics Board to allow them to rule on the matter, not Borough Council.

Councilperson Reymer stated in her opinion this was not a matter for Council, it is borderline public discussion, it is an ethical issue and she does not believe Council should be discussing anyone's financial situation and at some point all or some of us have been in similar uncomfortable situation or struggle whether now or in the future, people make mistakes, errors are human, lies are deliberate. Councilperson Reymer stated she wants nothing to do with this and finds this entire process personally disgusting and deceptable and she was leaving.

President Zygmont stated the documents are all public information and are available on the internet.

Councilman Tompkins stated he did not feel that it is something all of Borough Council should not act on and he looked at his copies of Financial Statements and read the instructions and filing guidelines and he thinks it should be forwarded to the PA State Ethics Commission since it is their form and their guidelines.

Vice President LaSorsa stated he agrees with Councilmen Rich and Tompkins and feels the Ethics Commission should handle.

Mayor Hawkes stated the Ethics Commission should investigate.

President Zygmont asked for comments from the Public. At this time in the meeting there was none.

DISCUSSION OF BOROUGH COUNCIL'S ROLE IN THE MATTERS

President Zygmont stated that the consensus of Council was to forward the information to the State Ethics Commission for investigation. Councilman Tompkins asked does Council do this or should it be done individually. Solicitor Pionzio stated there is nothing stopping any individual from sending something to the State Ethics Commission and she does not think it is necessary that Council as a whole make a decision in that format but just seeing this information for the first time she does not know of any reason why Council couldn't, without researching. President Zygmont asked Solicitor Pionzio if she was recommending they not do it as Council. Solicitor Pionzio stated she was saying that she was not in a position where she felt comfortable giving advice definitively whether or not Council can forward it, she stated nothing comes to mind why Council could not act in a majority and forward it. Solicitor Pionzio stated that any one individual Council member could forward the information. President Zygmont polled Council on their preference on how to handle. Councilman Tompkins stated he did not think all of Council should make this decision especially with some of Council not in attendance. Councilman Rich and Vice President LaSorsa agreed with Councilman Tompkins. President Zygmont asked if Vice President LaSorsa would follow-up with this. Vice President LaSorsa stated he turned in a letter to Assistant Secretary Hegele stating he was abstaining from any votes concerning Councilperson Ostrander's Ethics charges and elaborated the reasons why. Vice President LaSorsa stated Councilperson Ostrander was previously a client of his who came to him looking for assistance concerning some of her IRS issues over the past years and he told her he was more than happy to help her. Vice President LaSorsa stated he tried to help her but needed certain information, which was not provided therefore he could not assist. Vice President LaSorsa stated earlier this date he learned that Councilperson Ostrander filed charges against her for feeling threatened after she was at his residence last night for two hours looking for information on what was going to occur at the Special Meeting. Vice President LaSorsa stated he spoke to Councilperson Ostrander as a friend, fellow Councilperson and as a CPA, they discussed options and this morning he found out that charges were filed so that is another reason he is excusing himself and abstaining.

BOROUGH COUNCIL'S DECISION ON HOW TO HANDLE OR TO REFER THE MATTERS

President Zygmont stated there would no action taken as Council as a whole. Individual members will file information with the State Ethics Commission.

PUBLIC COMMENT

Sgt. VanDolsen wanted to clarify Vice President LaSorsa's statement saying that charges were filed. Sgt. VanDolsen stated that charges were not filed; Councilperson Ostrander came to the Police Department and stated she felt there might have been some activity in her conversation that she was intimidated or threatened by. Sgt. VanDolsen stated the Police Department, as in every case started an investigation, no charges have been filed. The investigation will continue and follow through the normal process.

Mr. Bud Aiken, Orchard Lane. Mr. Aiken asked if perhaps this was an error on the part of these two Councilpersons that they did not think their business entity should be on their ethics statements. President Zygmont stated they are personal liens. Mr. Aiken asked if possibly it was an error, who reviews these forms when they are handed in and pointed out to them.

President Zygmont stated if he owed 40,000 he would not forget it. Mr. Aiken stated he is trying to be forgiving about an error thinking it is business and not personal. Councilman Tompkins stated this is why the State Ethics Commission should look at them. Mr. Aiken stated isn't that who looks at them in the first place. President Zygmont stated the ethics forms are filed at Borough Hall by the May 1st of every year unless you are a candidate for office they are filed immediately following or prior to nominating petitions, Borough Council does not sit down and read each others financial disclosures for adequacy. Mr. Aiken feels someone where they are filed should review like a credit report or insurance form. President Zygmont stated they are filed with the Borough Secretary at Borough Hall, if Borough Council wants to see a copy then they put a records request in for the copy.

Mr. Zygmont, S. York Road. Mrs. Zygmont wanted to comment on Mr. Aiken's comment, in the Borough Code it is not the Borough's responsibility to review everyone's ethics statement because you are spending time, money and putting an employee on the line. Mrs. Zygmont does not feel it is the Borough's responsibility, people should be honest and file their ethics statement correctly, the ethics statements come with directions what is and what is not included.

President Zygmont stated there would be no action as Council as a whole, he wished everyone a Happy New Year.

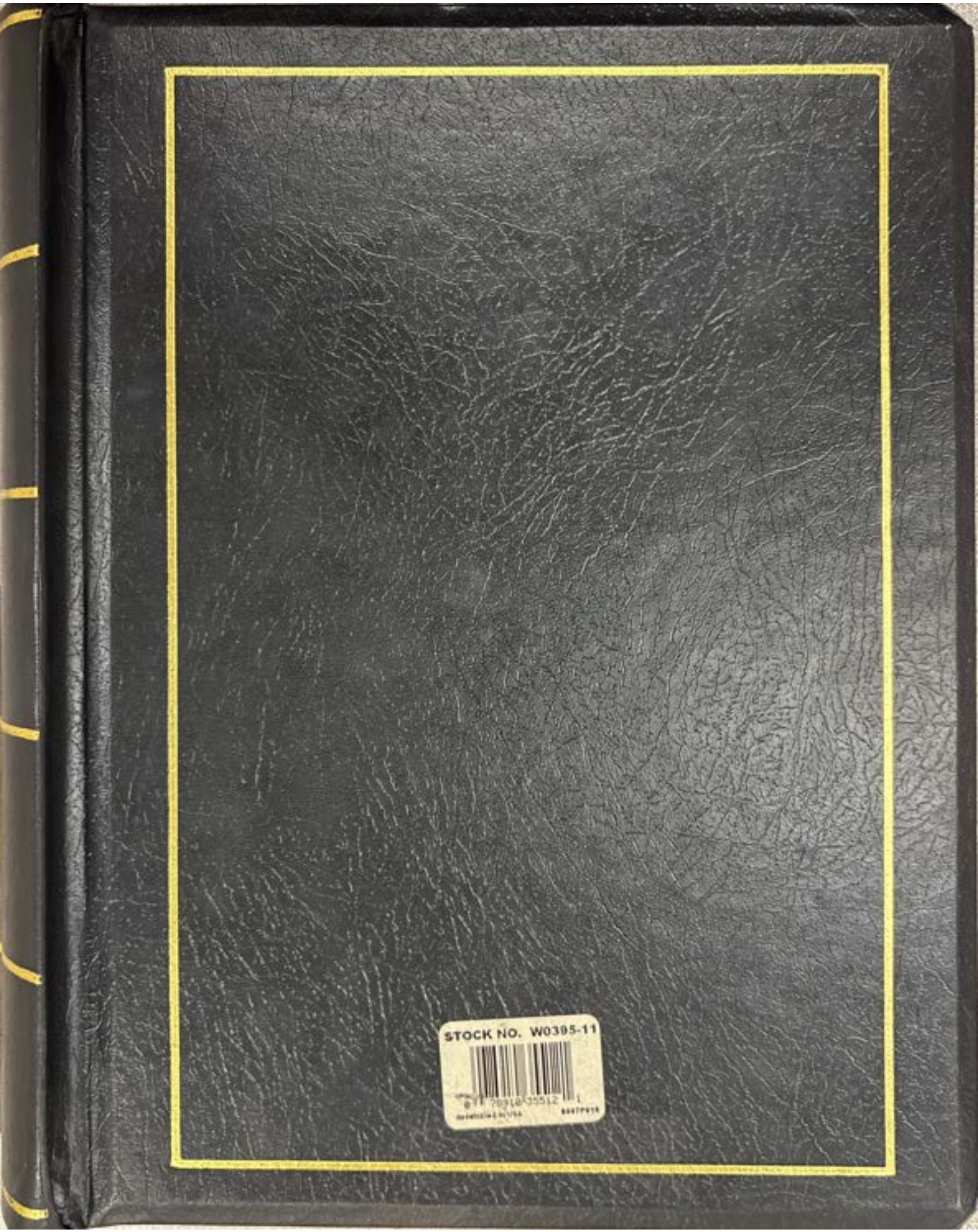
ADJOURNMENT

President Zygmont closed the special Council meeting at 12:24 PM.

Respectfully submitted,

Diane C. Hegele
Assistant Borough Secretary

TO LOCK
PERMANENTLY
Push down a spur
with a flame
arrangement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